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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 525th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 5 October 1998, at 10 a.m.

Temporary Chairman: Mr. SKOGMO (Norway)

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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GE.98-03325 (E)

The meeting was called to order at 10.25 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN declared open the forty-ninth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN, speaking in his capacity as Chairman of the forty-eighth session, said that the past year had been an eventful one for the Office of the United Nations High Commissioner for Refugees (UNHCR). UNHCR had pursued its important mission on every continent despite serious funding problems requiring sharp cutbacks in its programmes. Once more, UNHCR had shown itself capable of responding rapidly and effectively to new situations.

3. At the preceding session, some positive trends had taken shape at the global level: democratization, the end of civil wars that had raged for a long time, the start-up of major repatriation operations, etc. However, fresh threats to stability seemed to be emerging. The High Commissioner, on her return from Kosovo, had received information about renewed population displacements. In Africa, although the favourable trends observed in many countries continued, the Great Lakes region was once again in upheaval. The international community confronted difficult issues in the humanitarian field. Were there any limits to the responsibilities relating to humanitarian action? In the search for comprehensive approaches to complex emergency situations, what should be done when humanitarian organizations found themselves isolated? Should the staff of humanitarian organizations continue to be exposed to risks that those responsible for peacekeeping were no longer prepared to take? Despite the absence of simple answers to those questions, certain basic principles could be defined, such as the need to insist on countries fulfilling their obligations under international humanitarian law and human rights instruments, to ensure that the notion of protection remained at the centre of UNHCR activities and to trust in the judgement of those elected to run UNHCR.

4. In that regard, he said he welcomed Mrs. Ogata's recent re-election as United Nations High Commissioner for Refugees. As an ardent defender of the essential principles of the international protection of refugees and of the search for concrete solutions to their problems, she had become an important symbol of humanitarian action, of the spirit of compassion and of international solidarity with those who were weakest.

5. During his period of office as Chairman of the Executive Committee, he had better appreciated the pressure the High Commissioner and her colleagues were under. Those pressures were exerted simultaneously by the millions of refugees and internally displaced persons who needed international protection, host countries, which needed help to lighten their burden, countries of origin, which expected support for repatriation and reintegration operations, and the Governments of donor countries, which demanded complete transparency from UNHCR.

6. UNHCR had shown remarkable professionalism, skilfully meeting numerous challenges. It was continually trying to improve its operations in the field by seeking guidance from the members of the Executive Committee and that was the best guarantee that it would be able to pursue its important mission in the future. The Standing Committee had proved an extremely flexible instrument that had made it possible constantly to monitor the main aspects of UNHCR's work: programmes, management issues, control functions, financing, thematic issues and the study of regional situations. The spirit of dialogue and consensus that governed its proceedings, like those of the Executive Committee, was one of the strengths of the institution. Such consensus-building also embraced other United Nations bodies, representatives of the Bretton Woods institutions and other humanitarian organizations, as well as a range of non-governmental organizations (NGOs).

7. One of the most important issues addressed during the past year was the safety of staff members of UNHCR and humanitarian organizations, which was still a matter of active concern given the often very dangerous conditions in which they worked. The financial situation of UNHCR also remained very worrying and it was essential, during the current session, to consider ways of providing it with more predictable financial resources. At the level of informal discussions, a review of the UNHCR budget structure had begun, which should make financial management more transparent. It was to be hoped that the unofficial consultations on UNHCR resettlement policy would make it possible to take a decision on that subject at the current session. The Executive Committee's methods of work had also been the subject of preliminary discussions with the Bureau. A number of interesting proposals had been formulated, aimed at lengthening the planning cycle and concentrating the Committee's work into three annual meetings, rather than four. He asked the Committee to continue to support the High Commissioner in her difficult task.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

8. Mr. MONTENEGRO MALLONA (Nicaragua) nominated Mr. Rodriguez Cedeño (Venezuela) for the office of Chairman.

9. Mr. BRUUN (Denmark) and Mr. BENJELLOUN-TOUIMI (Morocco) seconded the nomination.

10. Mr. Rodriguez Cedeño (Venezuela) was elected Chairman by acclamation.

11. Mr. MORJANE (Tunisia) nominated Mr. Pérez-Hernández y Torra (Spain) for the office of Vice-Chairman.

12. Mr. SINGH (India) and Mr. FYFFE (Canada) seconded the nomination.

13. Mr. Pérez-Hernández y Torra (Spain) was elected Vice-Chairman by acclamation.

14. Ms. BAUTISTA (Philippines) nominated Mr. Liu Xinsheng (China) for the office of Rapporteur.

15. Mr. GERBER (Switzerland) seconded the nomination.

16. Mr. Liu Xinsheng (China) was elected Rapporteur by acclamation.

17. Mr. Rodriguez Cedeño (Venezuela) took the Chair.

STATEMENT BY THE CHAIRMAN

18. The CHAIRMAN said that the massive displacements of persons within a territory or outside their country's borders was one of the most sensitive issues in contemporary international relations. The protection of refugees, the help that should be provided to them and the search for durable solutions concerned not only those countries directly affected, whether countries of origin, countries of transit or host countries, but the whole of the international community, which had a duty of solidarity. UNHCR played a laudable and fundamental role in that regard and it required the international community's unconditional support, particularly since it was facing considerable financial difficulties in its efforts to fulfil its mandate.

19. The Executive Committee's task was to take constructive decisions to help formulate standards and principles that would allow UNHCR to confront as effectively as possible the problems stemming from population displacements throughout the world. The agenda for the current session reflected the importance and extent of that task. It was based on the new methods of work adopted by the Committee in 1995.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (item 3 of the provisional agenda) (A/AC.96/XLIX/L.1)

20. The agenda was adopted.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (A/AC.96/898 and A/AC.96/904)

Opening statement by the United Nations High Commissioner for Refugees

21. Mrs. OGATA (United Nations High Commissioner for Refugees) recalled that, in the current situation, there were many reasons for refugee aid organizations to be concerned, whether it was conflict in Africa, the social and economic crisis in the Russian Federation or financial turmoil in Asia. In the period since the preceding session of the Executive Committee, grave human displacement crises had occurred, although they were different from the humanitarian disasters of the early 1990s. Emergency situations were now more scattered, smaller and less visible on the international stage: UNHCR had had to reinforce its field presence many times and up to a hundred staff were now deployed on emergency missions. Although recent trends towards voluntary repatriation had given rise to the hope that refugee problems would diminish, the number of people of concern to UNHCR had only marginally decreased. The main reason for that was a flare-up of conflicts, which, on the one hand, slowed down the search for solutions to the problem and, on the other, gave those repatriated only a "fragile" peace.

22. In Afghanistan, conflict continued, along with grave violations of human rights. Although more than 80,000 Afghan refugees had decided to return home

from Pakistan in 1998 despite the situation, refugees in Iran had returned only very slowly and reintegration activities had virtually stopped. In Georgia, a new outbreak of internal conflict had once again forced 40,000 people to flee the Gali area and 1,500 houses, many newly rehabilitated with UNHCR funds, had been looted and burned. In Cambodia, the sporadic violence that had affected the peace process meant that 39,000 Cambodians were still in refugee camps in Thailand, a country that also hosted around 100,000 refugees from Myanmar. A solution has still to be found to the problem of 95,000 Bhutanese refugees in Nepal. The principles and modalities for an enhanced UNHCR presence in that area had been determined.

23. In Africa, conflicts were becoming increasingly complex and a number of factors had contributed to blocking solutions to refugee problems: increased violence against civilians, as in Sierra Leone, the ethnic component of some conflicts, as in the Great Lakes region, and the regionalization of wars. In West Africa, the crises in Sierra Leone and Guinea-Bissau had forced hundreds of thousands of people to flee. Although the situation in Guinea-Bissau seemed to be settling down, almost half a million Sierra Leonean refugees had placed an enormous burden on countries such as Guinea and Liberia, which had agreed to take them despite their limited resources. Central Africa's refugee problem persisted: there were, for example, 260,000 Burundi refugees in Tanzania. Repatriation operations continued, but there was still a risk of large-scale international displacement, particularly in the Democratic Republic of the Congo, if ethnic and nationality problems were not resolved. In Angola, serious setbacks were hindering the implementation of the Lusaka Peace Accords: UNHCR had been compelled to suspend the repatriation of Angolan refugees from neighbouring countries sine die and the resumption of hostilities had caused a fresh outflow of 30,000 refugees and the displacement of hundreds of thousands within the country, forcing UNHCR to deploy emergency rescue teams. In the Horn of Africa, the repatriation of Ethiopian refugees from Sudan and Somali refugees from Ethiopia indicated that some of the long-standing problems were being resolved. She called on the Governments concerned and the international community to do all in their power to maintain peace in the region. The ongoing conflict in southern Sudan continued to block solutions for refugees in Ethiopia and Uganda and recent bombardments had even forced UNHCR to close its offices in two places. The repatriation of Sahrawi refugees depended on the western Sahara peace process.

24. The relationship between conflict and displacement was nowhere more evident than in the province of Kosovo in the Federal Republic of Yugoslavia. Having just returned from a tour of the region to assess the situation of the 45,000 displaced persons in Montenegro, the 20,000 refugees in Albania and the estimated 200,000 displaced people in Kosovo, she said that the main reason for such population movements was the excessive use of force by the security services, which were terrorizing civilians - although that did not excuse the serious human rights violations committed by the Kosovo Liberation Army. UNHCR had substantially increased its local operational capacity, but Kosovo remained a political problem requiring an immediate political solution. European countries were rightly concerned about the situation and she urged them to maintain an open attitude towards asylum-seekers from that area.

25. Humanitarian action was no substitute for political solutions, yet humanitarian workers were frequently still alone on the ground. The sharing

of States' responsibilities towards uprooted people was based more than ever on international cooperation. With globalization about to give a very different meaning to the key features of traditional refugee movements - distances and borders - it might be time to develop a global solidarity agenda for the twenty-first century. It had to be reaffirmed that international cooperation to solve refugee problems must be based on protection principles, with the right to asylum as the cornerstone. However, the industrialized countries and an increasing number of developing countries were adopting asylum legislation geared more to controlling than protecting asylum-seekers. People fleeing violence and persecution were, it was true, frequently found together with those who were trying to improve their economic situation and States also had to protect themselves from terrorism and other threats to their security. Nevertheless, the right to asylum was frequently the only means left for the international community to save lives, so it was important to restore confidence in that essential protection instrument.

26. The protection regime was also based on refugee resettlement, which was a concrete reflection of international cooperation. Although some countries were threatening to decrease resettlement opportunities as the number of asylum-seekers grew, she welcomed the steps taken by other countries, such as the United States of America, to increase their quotas. It was also encouraging to note that it had been possible to resettle refugees in countries from which refugees used to flee, such as South Africa, Chile and Argentina. UNHCR had continued to promote international cooperation through regional processes such as the CIS Conference, the Asia-Pacific Consultations and the Central and South-West Asia and the Middle East Consultations. A number of new initiatives had recently been taken, especially in the areas of protection, security and reintegration of returnees. Firstly, UNHCR was making efforts to promote a dialogue with States to find ways of reinvigorating international protection and making it more effective. Second, UNHCR had, in particular, participated in a meeting of eight central African Governments, organized in Kampala in May 1998 in conjunction with the Organization of African Unity, at which the participants had reaffirmed their support for the refugee protection principles embodied in the OAU Convention and had requested OAU and UNHCR to continue to work on the security issues of regional concern. UNHCR was cooperating closely with the United Nations Department of Peace-keeping Operations on proposals to establish a system of standby arrangements to address insecure refugee situations in Africa. Third, UNHCR was actively promoting international cooperation on reintegration following voluntary repatriation, especially in post-conflict situations. That had been the main objective of the regional strategy developed in early 1998 for the sustainable return of the 1.8 million persons displaced by the conflict in the former Yugoslavia.

27. There had also been positive developments in other regions. For example, some 65,000 Chakma refugees had returned voluntarily from India to Bangladesh under a bilateral arrangement between the two countries. The Guatemalan refugee situation was also being brought to a successful conclusion through a combination of repatriation and local integration in Mexico. In Africa, the repatriation of refugees to Mali and Niger had been completed. Nearly 200,000 Liberian refugees had returned to their country since December 1997, either spontaneously or with UNHCR assistance. If peace prevailed in Sierra Leone and Guinea-Bissau, the repatriation and

reintegration of refugees and other uprooted people would be key elements in the peace-building process in the entire region. Planning for those operations must therefore begin early. Post-conflict operations mounted by UNHCR in Rwanda and Liberia, for example, had faced serious difficulties as a result of massive return movements to situations of fragile peace. In those two countries, insufficient support for returnee reintegration projects had compelled UNHCR to cut back its programmes drastically, although reintegration was an inherent part of the UNHCR mandate. That withdrawal had not been offset by a parallel increase in development activities, and that further jeopardized the peaceful coexistence of divided communities. UNHCR had held discussions with a number of Governments and with other United Nations bodies, including UNDP and the World Bank, on ways of bridging the existing gaps. UNHCR attached great importance to the work of the United Nations Coordinator for Humanitarian Affairs and cooperation with organizations such as UNICEF, the World Food Programme, the International Organization for Migration, the International Committee of the Red Cross, regional organizations such as the European Union, and NGOs.

28. With regard to the resources and management of UNHCR, a body funded almost entirely through voluntary contributions, fund-raising efforts were useful in motivating the staff constantly to improve its work and in drawing world attention to the refugee situation. However, those contributions had in many cases been cut or delayed, since control of public spending was the keyword in many countries. If the current General Programme deficit was not covered by the end of the year, operational expenditures would have to be further reduced. Some special programmes in, for example, Afghanistan, Sierra Leone and Liberia, had also been seriously affected. Financing should be both flexible and predictable if UNHCR action was to continue to be effective. Programme reduction had had a considerable impact on human resources management. One thousand posts had been cut in less than two years. External recruitment continued to be frozen, which meant that it had been more difficult to attain the goal of overall gender equity among the organization's staff. Women nevertheless accounted for 39 per cent of UNHCR staff and steps had been taken to further improve their representation, particularly in the higher grades.

29. The security of humanitarian staff was still one of the most worrying subjects, as illustrated by the case of Vincent Cochetel, head of a UNHCR office in the Russian Federation, who had been abducted eight months before in the Caucasus and had still not been released. Of all UNHCR employees, 21 per cent were working in what the United Nations considered high-risk duty stations. Aside from the administrative measures that could be proposed in inter-agency discussions, the problem must be dealt with in a broader political context. For that reason, UNHCR was one of those requesting that crimes committed against humanitarian staff should be tried by the newly established International Criminal Court.

30. With regard to UNHCR management reform, she said that more than half of the activities planned in the context of Project Delphi had been implemented and good progress had been made with many others. Of the priority projects to be implemented in order to consolidate the action, it was appropriate to single out the development of the Operations Management System (OMS), which would enable all projects to be planned, budgeted, implemented and evaluated

more comprehensively and rationally than before thanks to the replacement of information technology systems. Another reform measure was the implementation of the Career Management System (CMS). The reforms would require sustained commitment and financial support for three or four years. She attached the greatest importance to good management standards and had therefore appointed an inspector; the services in his charge had been extremely active. Since 1995, inspections had been carried out in 68 countries, i.e. 60 per cent of UNHCR programmes. Greater attention was now to be paid to evaluation activities and to the management responsibility of UNHCR representatives in the field.

31. Lastly, she noted that the following two years would be marked by the thirtieth anniversary, in 1999, of the OAU Convention governing the Specific Aspects of Refugee Problems in Africa, and the fiftieth anniversary, in December 2000, of the General Assembly resolution instituting the Office of the United Nations High Commissioner for Refugees. They were symbolic dates, which indicated the extent to which refugees had been part of the history of the twentieth century and they would add significance to UNHCR's work. The main priority of her next mandate would be to reach out to Governments and civil society in order to make global solidarity a concrete reality and to ensure the effectiveness of policy. That would require, in particular, maintaining the emergency preparedness and response capacity that had been built up over the previous six years, managing human resources more fairly and flexibly, ensuring a more predictable and flexible funding base and, lastly, maintaining and promoting a human approach to UNHCR's work. UNHCR staff was aware that it was not only the effective use of resources, but also and especially the lives and welfare of thousands of men and women that depended on the quality of that work.

32. Mr. SOMMARUGA (International Committee of the Red Cross) said that humanitarian action currently faced three main challenges: the globalization of international responsibility, the renewed relevance of international humanitarian law for dealing with population displacement and the need for effective coordination.

33. The world had become a global village and humanitarian problems were the responsibility of all States. The international instruments on refugees, humanitarian law and human rights were all based on common principles, namely, that no one could remain indifferent to the distress of fellow human beings and that international cooperation was essential in order to provide the necessary protection and assistance to the most vulnerable. However, the international community's responsibility did not stop with attending to the vital needs such crises created by providing humanitarian organizations with the funding they needed to carry out their mandates. It also had a duty to prevent and resolve conflicts and to firmly repress the violations committed in such situations.

34. In Rwanda and Bosnia and Herzegovina, for example, human tragedy on a vast scale could have been avoided if measures aimed at prevention, international law enforcement and conflict resolution had been implemented in a timely and courageous manner, with a clear line being drawn between initiatives of a political and military nature on the one hand and

humanitarian action on the other. The norms and principles of international humanitarian law, of which ICRC was the traditional guardian, made it possible to prevent a large proportion of the population movements caused by armed conflicts and similar situations of violence. It was therefore of paramount importance to promote and respect humanitarian law, whose provisions also applied to refugees, internally displaced persons and returnees.

35. The issue of internally displaced persons was of particular relevance. ICRC had long considered displaced persons as victims of war and made sure that they benefited from the same rules of protection as anyone who was not involved in hostilities. He recalled that, in the case of non-international armed conflicts, article 3 common to the four Geneva Conventions had been ratified by 188 States and that Protocol II additional to those Conventions, which expanded and clarified the rules contained in article 3, was now binding on 142 States. That instrument clearly prohibited arbitrary displacements and proclaimed the right of those affected by such practices to receive impartial assistance. In that regard, ICRC welcomed the outcome of the work carried out by the Representative of the Secretary-General on the question of internally displaced persons.

36. Humanitarian coordination was vital in meeting the needs created by so many emergency situations: in discharging its "global responsibility", the international community must organize its tasks harmoniously and allocate its resources rationally. The humanitarian institutions, for their part, had to maintain strict control over their expenditure, evaluate the impact of their programmes and eliminate all duplication of efforts, and that meant not only assessing and meeting the immediate needs of the victims, but also developing strategies that would enable them to regain their autonomy.

37. With regard to inter-agency coordination mechanisms, the focus should be on the quest for complementarity and added value, taking into account the specific responsibilities of each organization. ICRC participated in various forums both within and outside the United Nations, on the understanding that its independence, which was essential for fulfilling its mandate, would not be compromised. In that regard, the coordination between UNHCR and ICRC, which had become more systematic over the years, had often made it possible to avoid overlapping, as for example in Kosovo, Colombia and Sri Lanka, taking due account of the two agencies' respective missions and areas of expertise.

38. Humanitarian work was no exception to the globalization that was leaving its mark in all areas. Today's unresolved problems carried the seeds of tomorrow's crises, which would directly affect countries thus far spared war, disasters and underdevelopment. International solidarity was a more topical issue than ever. Having adopted emblematic instruments such as the Universal Declaration of Human Rights, the 1949 Geneva Conventions and the 1951 Convention relating to the Status of Refugees, more than half a century before, the international community must give some thought to ways of breathing new life into those systems of protection and the universal values underpinning them. The next International Conference of the Red Cross and Red Crescent, due to be held in Geneva in November 1999, should make it possible to project into the future the spirit of those treaties, in order to persuade the world of their validity and usefulness.

39. Ms. TAFT (United States of America) congratulated Mrs. Ogata on her re-election as High Commissioner for Refugees for a further two years and paid tribute to all UNHCR staff, who often worked in dangerous conditions. Everyone had hoped that 1998 would be a year of repatriation, but new refugee situations had sprung up in Sierra Leone, Kosovo and the Democratic Republic of the Congo. The United States would work with UNHCR and other organizations in attempting to avert a humanitarian tragedy in Kosovo. Unfortunately, in many parts of the world, refugee protection was a principle that was respected less and less. In addition, owing to funding shortfalls, UNHCR had been forced to cut its programmes. The United States therefore called on all countries to renew their commitment to international humanitarian principles and provide UNHCR with the funding and guidance it needed to fulfil its mandate. The United States had recently contributed additional funding to UNHCR, bringing its total contribution for fiscal year 1998 to nearly $249 million. With regard to the allegations of mismanagement made against UNHCR, a reading of the audit report did not lead to such a conclusion - quite the contrary. Nevertheless, unresolved issues remained and the United States intended to follow developments closely as UNHCR implemented the report's recommendations.

40. The United States believed that the implementation of the principle of international solidarity was central to refugee protection and the search for durable solutions. Such solidarity was seen by many as a "burden" to be shared. Refugee protection demanded, rather, a sharing of responsibility. In addition, many countries throughout the world had benefited from the intellectual and economic contributions of refugees.

41. International solidarity could be expressed in various ways. The "donor community" should be seen as more than just the handful of nations that contributed the bulk of the cash and commodities needed by UNHCR. Countries hosting refugees, particularly those in the developing world, deserved the praise and acknowledgement of the international community. Any system of international solidarity must take into account the critical, though hard to quantify, support that many nations in the developing world provided to refugees in their territory.

42. The United States believed that there were seven core concepts involved in international refugee solidarity: respect for the principles of the 1951 Convention; refugee protection and the search for durable solutions; adaptation to regional circumstances; shared responsibility for finding political solutions to the conflicts and human rights abuses that created refugee problems; recognition of the important part played by resettlement of refugees in third countries, in addition to the solution of voluntary repatriation; the need to share among more countries the costs of assisting refugees; and, lastly, helping to build local capacity in host countries in order to better prepare them to prevent and mitigate the negative effects of refugee flows and other emergency situations.

43. Mr. KREID (Austria), speaking on behalf of the European Union, said that massive outflows of refugees, in particular in the Great Lakes region, the former Yugoslavia and Afghanistan, had demonstrated the need to consider the possibility of establishing burden-sharing arrangements to address the humanitarian challenges of forced displacements and to promote sustainable

solutions to their causes. The European Union, whose members had not been spared refugee inflows, considered that burden-sharing should be approached comprehensively and should encompass all the various stages of a conflict or situation of distress that produced the influx of displaced persons. The international community should begin by taking preventive measures in the country of origin, where diplomatic initiatives and development aid could contribute to stabilizing the fragile political and economic situation and, then, in the event of a crisis, should provide the affected countries with the assistance they needed to deal with the refugees. Lastly, it should act as a mediator between the parties to the conflict and take part in peacekeeping or peacemaking operations in order to permit the early return of the displaced population in safety and dignity. The Plan of Action of the International Conference on Refugees in Central America (CIREFCA), for example, had had positive results because it had linked the return of refugees with rehabilitation, reconstruction and development programmes.

44. UNHCR had a key role to play in the collective response to humanitarian crises, through close collaboration with other organizations with complementary mandates (human rights, peacekeeping, development, etc.) in addressing the causes of mass displacement and their social and economic consequences, facilitating reconstruction and national reconciliation and preventing further displacements. Refugee inflows had negative consequences for political, security and economic situations and for the social fabric and environment of the affected countries, although it was difficult to assess their impact. The role of developing countries in refugee protection and humanitarian aid was, unfortunately, often underestimated. A great many of the contributions in kind made by such countries were practically impossible to quantify, whether they took the form of hospitality, solidarity or integration. UNHCR and the international community should make the public more aware of such issues, in particular through the medium of civil society.

45. In international law and in practical terms, the primary responsibility for protecting and caring for refugees and returnees lay with host countries. In that context, the European Union re-emphasized that international solidarity and burden-sharing could not and must not be a prerequisite for respecting the fundamental principles of refugee and human rights law, including asylum, non-refoulement and family unity. In addition, all persons had the right to return to their own countries and it was the national authorities' responsibility to facilitate their reintegration. However, in view of the costs involved in hosting and repatriating refugees and in the search for durable solutions, contributions to UNHCR funding represented a concrete form of burden-sharing: in 1997, 42 per cent of the contributions made to the organization had come from the European Union.

46. Burden-sharing was of course not an obligation either in statutory or in customary international law, but many international instruments demonstrated a solid political commitment to that principle and to the principle of international solidarity. Experience showed that consensus on a pre-set mechanism could be achieved only on a regional basis: solutions at the global level should continue to be of an ad hoc nature. In the wake of the massive outflow of refugees from the former Yugoslavia, the European Union Council of Ministers had adopted two important texts in 1995 outlining the crucial principles of a burden-sharing mechanism with regard to the admission and

residence of displaced persons on a temporary basis. In addition, as shown by the Comprehensive Plan of Action adopted by the International Conference on Indo-Chinese Refugees, such arrangements should not necessarily be limited to the countries of the region concerned. It was neither possible nor advisable to work out a rigid formula for sharing the burden by means of permanent or temporary protection or financial or other contributions. The criteria had to be flexible and have regard to the variety of emergency situations. He recalled, in that context, that a whole range of factors could influence the nature and extent of the assistance provided by each State.

47. The European Union, convinced of the need for a comprehensive approach to the problem of refugees, fully supported UNHCR, which deserved the financial and political backing of the international community in discharging its mandate.

48. Mr. ALAAS (Sudan) emphasized the importance of implementing burden-sharing arrangements with a view to helping host countries, which contributed most in terms of humanitarian aid, to deal with the adverse effects of refugee inflows. Sudan, which had been helping refugees from neighbouring countries for more than 30 years, was one of the chief donors despite the inadequacy of its resources. Far from constituting an important human resource that contributed to the development of host countries, refugees in fact represented a considerable burden, particularly as many of them were disabled or could not meet their own needs.

49. The assistance provided by the international community had fallen short of expectations. Despite the large number of rehabilitation projects that Sudan had submitted to UNHCR and to donors to offset the negative impact of refugee inflows to the affected areas, the majority of those projects had not received due consideration and those that had got under way had been stopped for no apparent reason, and that rebounded on the refugees. For humanitarian reasons, and not, unlike other countries, political ones, Sudan had done all in its power to facilitate the voluntary repatriation of refugees. In that regard, he welcomed neighbouring countries' peace initiatives, which should make it easier for refugees to return. He asked UNHCR to take the necessary steps to ensure their protection, particularly the protection of the children enlisted by the rebels in southern Sudan. The international community should act to provide assistance to refugees in the Sudan and to Sudanese refugees in neighbouring countries and help to implement voluntary repatriation programmes. He hoped that the Ministerial Conference due to consider the refugee question in December 1998 under the auspices of the Organization of African Unity (OAU) would be a success.

50. Mr. BEHZADIAN (Islamic Republic of Iran) noted that developing countries hosted three quarters of the world's refugee population. For seven years, the greatest number - 2 million - had been sheltered by Iran. Despite the problems that caused, almost all of their basic needs had been met, and that was an indication of Iran's attachment to the teachings of Islam and to international humanitarian law. Fresh influxes of refugees were expected owing to the instability in the region, particularly in Afghanistan in the wake of the events at Mazar-i-Sharif. The process of repatriating Afghan refugees had stalled and more Afghans were taking refuge in Iran.

51. Despite commendable efforts by host countries and the relevant international bodies, particularly UNHCR, the number of refugees was on the rise. The reasons were mainly to be found in the deterioration of the economic situation in some parts of the world, which was likely to hamper the search for any durable solution to the refugee problem. The host countries, whose resources were limited, were under severe pressure on the economic, social and security fronts. Burden-sharing, voluntary repatriation and resettlement should therefore be seen as the best long-term solutions. One of the basic reasons for the aggravation of the plight of refugees lay in the fact that the burden was unequally shared among the members of the international community. The developed countries should not merely make small contributions in cash or in kind; they should live up to their responsibilities by accepting the resettlement of refugees in their territory. To adopt legislation and regulations restricting and hindering entry by refugees was a clear violation of human rights and the principles of international law.

52. However useful regional approaches might be, the solution to the refugee problem, the causes of which should be approached in a comprehensive manner, was a matter for the international community. Voluntary repatriation should be prioritized as the most durable solution, while resettlement in third countries should be given high priority by the international community, in particular by the Office of the United Nations High Commissioner for Refugees. Refugee protection was a responsibility to be assumed at the international level without defining some aspects of it as mandatory and others as voluntary.

The meeting rose at 1.05 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 526th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 5 October 1998, at 3 p.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (continued)

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GE.98-03300 (E)

The meeting was called to order at 3.15 p.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (A/AC.96/904) (continued)

1. Mr. VAN WULFFTEN PALTHE (Netherlands), congratulating the High Commissioner on her re-election, said he was confident she would continue to provide the excellent leadership to which the member States had become accustomed.

2. He associated himself with the statement by the representative of Austria on behalf of the European Union.

3. At a time of special difficulty for UNHCR, as the international refugee regime came under strain, the Netherlands Government remained committed, in both the European and the international context, to the protection of refugees and hence to continued support for the fine work, often under extremely difficult conditions, of the High Commissioner and her staff.

4. The need for an established international protection regime was unquestionable. The principles underlying the 1951 Convention and the 1967 Protocol relating to the Status of Refugees were still valid and human beings were still being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion. He shared the concern of UNHCR at the apparent decrease in respect for the principles of the Convention and the Universal Declaration of Human Rights.

5. While the total number of refugees was diminishing, UNHCR protection for persons in other categories, such as internally displaced persons, returnees and temporarily displaced persons, was increasing. More and more people were also leaving their countries in search of a better life. The Netherlands viewed the problem of mixed or composite flows as one of the main challenges to the existing structure of the refugee system. Persons in real need of protection should not fall victim to such flows or to the problems involved in dealing with them adequately.

6. New measures to counter the abuse of asylum procedures were essential. While it was understandable that people should seek to improve their living conditions through migration, abuse of asylum procedures and the increased role of organized crime and human trafficking in migration flows made it more difficult to provide protection for genuine refugees.

7. Recent conflict situations had led to the large-scale dislocation of populations, both within and across borders, presenting neighbouring countries and the international community with new challenges. Large inflows of people had a profound impact on host countries, particularly developing countries, and their resources. Political action was needed to ensure that States continued to respect their international legal obligations and the principle of non-refoulement.

8. UNHCR's protection mandate had been severely challenged, for example, in the eastern part of the Democratic Republic of the Congo, where the

discontinuation of humanitarian support had become unavoidable, and in Myanmar. The Netherlands believed that UNHCR should continue to give top priority to protection under such circumstances. Insistence on the protection of refugees' rights should come before the understandable urge to provide relief. Other organizations were more qualified to assume the tasks of reintegration and post-conflict rehabilitation. The outcome of the consultations on repatriation were to be welcomed in that context and the Netherlands would continue to urge the international development community, particularly the World Bank and the United Nations Development Programme (UNDP), to work for better coordination. The Executive Committee had already recognized the need for a more integrated approach that took local circumstances into consideration and encompassed conflict prevention, temporary protection, recovery, return and reconstruction.

9. The first ever humanitarian segment of the Economic and Social Council in July 1998 had reconfirmed the leadership role of the Emergency Relief Coordinator, supported by the Office for the Coordination of Humanitarian Assistance, in strengthening the United Nations response to humanitarian crises and had stressed the importance of the Inter-Agency Standing Committee (IASC) as the primary mechanism for inter-agency coordination and the consolidated appeal process as the principle resource mobilization tool for humanitarian assistance. UNHCR must play its rightful role in the United Nations humanitarian response system.

10. If the refugee system based on established international rights was to survive, and survive it must, preventive action was needed to deal with large-scale dislocation as a result of violence and abuse of asylum procedures. The Netherlands believed that the world community had a moral obligation to ensure the survival of a system that had saved the lives of millions of people over the past 50 years.

11. Burden-sharing in the international refugee system required, first and foremost, a reaffirmation by the international community of its commitment to UNHCR's traditional mandate and work in the face of existing challenges. In particular, there was an urgent need to broaden the donor base for UNHCR's budget and appeals. All States must accede to the 1951 Convention and its 1967 Protocol. Considerations of equitable or inequitable apportionment of burdens could never be a reason for non-compliance with obligations under international law.

12. The Netherlands would continue to honour its obligations by upholding an asylum system based on the 1951 Convention and human rights treaties, maintaining its status as a leading UNHCR donor, providing humanitarian assistance where needed and participating in the UNHCR resettlement programme.

13. Burden-sharing among the member States of the European Union had been adopted as a firm political principle and was currently under discussion with respect to temporarily displaced persons. He was confident that the Union would agree on a more equitable burden-sharing arrangement which would benefit the international community as a whole.

14. As a contribution to burden-sharing, UNHCR must play a more active role in the return of persons not in need of international protection to their

countries of origin. Its monitoring role in the return process was welcome, but insufficient. He also appealed to countries of origin, which tended to place obstacles in the way of the return of their nationals, to respect their international legal obligation in that regard.

15. He believed that a viable and just refugee protection system could be maintained through the reconfirmation of the principles underlying the rights-based refugee system, a joint effort to address global refugee problems and a refocusing by UNHCR on its core tasks, supported by corresponding action on the part of the international community and the United Nations system.

16. Mr. KOLUE (Nigeria), congratulating the High Commissioner on her re-election, said he was confident that she would continue to work tirelessly, selflessly and creditably for the welfare of humankind.

17. The annual theme of international solidarity and burden-sharing was extremely pertinent at a time when durable solutions must be found to the problems created by massive global flows of refugees and returnees. Burden-sharing should go beyond protection and assistance and take account of the economic, environmental, social and political impact of such flows on host and home countries. Hence, assistance programmes should be linked to political processes, development and environmental programmes, peacekeeping, and peace-building activities, including reconciliation, rehabilitation and reintegration projects in both host and home countries. Burden-sharing should also encompass political or security initiatives to address the causes and consequences of refugee movements.

18. The principle of international burden-sharing was rooted in a wide range of political instruments. The International Conference on Central American Refugees (CIREFCA), the Comprehensive Plan of Action (CPA) for Indo-Chinese refugees and the Comprehensive Response to the Humanitarian Crisis in the former Yugoslavia illustrated the commitment to cooperative partnerships that already existed in the international community, but such initiatives were still too few and ad hoc in nature. There was considerable scope for international burden-sharing in Africa, which hosted some of the largest refugee and returnee populations, often in countries that were extremely ill-equipped to cope with the associated economic, political and environmental problems. Burden-sharing mechanisms would encourage the Governments concerned to fulfil their obligations under international refugee law and facilitate efforts to find durable solutions to the plight of refugees. Subregional bodies such as the Economic Community of West African States (ECOWAS), the Intergovernmental Authority for Drought and Development (IGADD) and the Southern African Development Community (SADC) urgently needed assistance in the form of partnerships with international organizations and non-governmental organizations (NGOs) in refugee- and returnee-afflicted areas. A more systematized burden-sharing mechanism would also facilitate a more efficient, equitable and consistent response from participating States.

19. Joint efforts by the West African States, particularly in the context of the ECOWAS Monitoring Group (ECOMOG), had brought peace to Liberia, ended the rule of an illegal junta in Sierra Leone and averted a humanitarian catastrophe in Guinea Bissau. UNHCR had been able to carry out protection, repatriation and settlement activities in Liberia and Sierra Leone, but the

peace process needed to be strengthened and sustained. The reintegration of returnees called for the restoration of basic amenities. He urged the international community to assist the home countries and ECOWAS through sustained funding of UNHCR repatriation and reintegration activities. Coordination between the agencies involved in the reconstruction programme was also necessary to maximize efficiency. Assistance to Liberia, which was attempting to cope with about 500,000 refugees and 1 million displaced persons, should not, as far as possible, be predicated on political considerations. The refugee problem in Sierra Leone would be greatly alleviated and peace would be consolidated if international donors redeemed the pledges they had made at the United Nations Special Conference on Sierra Leone convened by the United Nations Secretary-General in July 1998. The need to reintegrate civilian amputees of Sierra Leonean origin into their society after repatriation was also of particular concern.

20. ECOWAS would be further strengthened if members of the international community with an interest or influence in countries with problems or conflicts worked in cooperation with each other and ECOWAS.

21. To encourage countries in West Africa to continue fulfilling their obligations to provide protection and assistance to refugees, a systematic study should be undertaken of the impact of refugees on the environment, the economy and political and social life. Financial quantification by means of such studies of host country contributions and losses resulting from massive influxes could be used as an indicator for international donor community assistance and assist host countries in obtaining loans from international monetary bodies.

22. Hundreds of thousands of refugees were stranded in countries of asylum in the Horn of Africa because their home countries could not afford to take them back. UNHCR and the international community should look into the possibility of taking action in genuinely needy cases in order to avert new conflicts and prevent the exacerbation of existing ones.

23. Local NGOs had become increasingly active in assisting refugees, especially in Africa, but they were often left in the lurch when international NGOs departed after emergency operations. International NGOs should form joint ventures with local NGOs to build capacity and ensure continuity of operations.

24. Referring to recent criticism of UNHCR resource management, he said that Nigeria identified itself with the remarks of the Secretary-General on the competence and integrity of the High Commissioner and pledged support for her continuing efforts to restructure UNHCR.

25. Nigeria would continue to support subregional, regional and international efforts to find durable solutions to refugee problems within and outside the West African subregion and to support the High Commissioner's programmes through financial and manpower contributions. The Government's programme and manpower contributions for 1998 were 13.8 million and 25.7 Nigerian nairas, respectively. In addition, 7 million nairas had been spent on materials for the repatriation of Liberian refugees.

26. Under the new political order in Nigeria, all persons who had remained outside the country because of differing political opinions had been invited to return home. He reiterated that call.

27. Ms. HAALAND MATLARY (Norway), congratulating the High Commissioner on her re-election, said she had served UNHCR, the United Nations and the international humanitarian community with courage and distinction at a time when UNHCR had been required to bear an unprecedented burden of responsibility. Norway pledged its continued support and cooperation to the High Commissioner and her staff. UNHCR had carried out the tasks entrusted to it in a dedicated and principled manner.

28. The current situation in Kosovo was extremely alarming. The personal security, and even the lives, of humanitarian workers were often at risk. Mr. Vincent Cochetel, a UNHCR staff member who had been taken hostage several months previously, was still in captivity. That situation was unacceptable and Norway strongly supported UNHCR and inter-agency efforts to improve the safety of humanitarian workers.

29. The 1990s had been a decade of humanitarian crises, escalating internal conflict and the collapse of State structures, destroying the lives and livelihoods of thousands of civilians. The number of refugees had decreased, but the number of internally displaced persons had dramatically increased. The context in which humanitarian action was undertaken had changed fundamentally and access to those in need was sometimes deliberately blocked. The social and political root causes of conflicts could not be tackled by humanitarian action alone.

30. There was an urgent need to enhance the international community's will and capacity for crisis management. The provision of assistance in situations of forced displacement was not enough. An innovative coordinated international approach was necessary to forge closer links between political, military and humanitarian players and between relief and development. Her Government viewed UNHCR as the main vehicle for the international coordination of refugee protection and assistance. By virtue of its unique mandate, its standby capacities and its close collaboration with NGOs, it had proved one of the most operative functional parts of the United Nation system and must therefore play a central role in improved crisis management. Complex emergencies must be addressed through comprehensive approaches. UNHCR and humanitarian agencies should no longer be asked to tackle the humanitarian consequences of political conflicts without adequate political support.

31. The protection of refugees and internally displaced persons such as those from Kosovo was at the core of the UNHCR mandate and must remain a priority for the international community. Her delegation had been deeply concerned at UNHCR reports of violations of the principle of protection in various regions, such as the Great Lakes. The two central principles of non-refoulement and access to status determination procedures must be respected. The Government of Norway had recently decided to liberalize its asylum criteria to bring them more into line with the spirit and principles of the 1951 Convention.

32. The sharing of responsibilities and burdens was the basis of the work of UNHCR. International solidarity and commitment to partnership were vital to the successful resolution of refugee situations and the best way to ensure such solidarity was through strong political and financial commitment to multilateral solutions, in particular through United Nations agencies.

33. Under international law, the host State was primarily responsible for protecting and assisting refugees and returnees and the countries hosting large refugee populations - most of them developing countries - deserved recognition and appreciation for their generosity. The presence of UNHCR and other organizations in the affected areas relieved countries facing particular difficulties of some of the burden.

34. International cooperation to help maintain the standards of international refugee law, as emphasized in the 1951 Convention, continued to be necessary. However, if burden-sharing could not be arranged, that did not exempt countries from their international legal obligations. Burden-sharing arrangements should be flexible and based on existing international frameworks and should provide for consultation. Participants should include countries and organizations from within and outside the region and, in particular, the host country and local agencies. Such arrangements should form part of any comprehensive approach to both mass and individual displacement, although permanent mechanisms would be difficult to establish. The Government of Norway believed that the principles of international burden-sharing, and, in particular, minimum requirements for protection, should be better defined.

35. Resettlement was central to UNHCR protection efforts. Norway had decided to raise its national annual quota for resettlement by 50 per cent and encouraged other countries to do the same. Voluntary repatriation in safety and dignity was still the preferred solution for refugees, but was predicated on international solidarity. Everyone had the right to return home and all States were obliged to accept returning nationals: UNHCR had worked to promote voluntary repatriation and prevent further displacement, but, if repatriation was to be a durable solution, returnees required assistance with reintegration.

36. A world based on humanitarian principles and respect for individual dignity and rights would require new forms of international solidarity, partnership and global response, as exemplified by the new type of diplomacy that transcended inter-State relations and had so rapidly produced an international instrument banning anti-personnel mines. Norway's own commitment to such intensification of international responses had been expressed by its contribution of US$ 120 million, over five years, to mine action. Norway had also proposed the establishment of a trust fund at the United Nations in order to combat the proliferation and illicit flow of small arms, which fuelled conflict and jeopardized security everywhere.

37. Member States expected much from UNHCR in terms of effective programme delivery, but UNHCR also had a right to expect follow-up from Governments. Norway had increased its General Programmes budget to 170 million kroner and its total contribution to date during the year had also increased, to 230 million kroner. It also intended to make a significant contribution

to UNHCR programmes in Kosovo. Norway's firm commitment to humanitarian principles and human rights would continue to be translated into strong political and financial support for UNHCR.

38. Mr. KAMHEANGRIDHIRONG (Thailand) said that, having long been host to refugees and displaced persons, Thailand fully recognized that international solidarity and burden-sharing could provide a solution to refugee problems. Refugees could best be helped through a safe return home in order to resume their livelihood and participate in their country's development, but, as long as repatriation was not possible, Thailand continued to uphold the principle of first asylum for those fleeing serious fighting in their homeland, a policy that was part and parcel of shared responsibility. Equitable burden-sharing was exemplified by the highly successful Comprehensive Plan of Action (CPA), which had adopted a comprehensive approach to the Indochinese refugee problem, from prevention of root causes, through resettlement or repatriation, to monitoring and reintegration of returnees.

39. Burden-sharing in the form of financial support was crucial to countries such as Thailand, which provided temporary shelter to displaced persons and thus incurred administrative and personnel costs in meeting the continual demand for food, energy, transport, health and sanitation, as well as costs in terms of environmental degradation, deforestation, pollution, disease and support for those sectors of the Thai community affected by the influx of refugees. Funding must be increased in order to enable UNHCR and related organizations to cope better and the public in donor countries had to be informed of the sacrifices being made by the developing countries of first asylum, which in fact donated most to refugees. Financial assistance should go beyond emergency relief and focus on the reintegration and monitoring of returnees in order to prevent outflows recurring. He urged UNHCR, for its part, to provide more assistance for the education and training of refugees, particularly children and women in countries of asylum, and for returnees.

40. Resettlement was a means of sharing responsibility and safeguarded the institution of asylum. Unfortunately, some traditional resettlement countries were being more restrictive in their interpretation of the 1951 Convention and had erected physical, legal and administrative barriers to deter asylum-seekers. Taking a few cases here and there was a piecemeal approach that might ease one's conscience, but would have an undesired effect as a pull factor. In addition, countries of first asylum might feel they were being reduced to mere "immigration posts" as long as a durable solution was not found.

41. There were currently some 38,000 displaced Cambodians in Thailand. Since October 1997, 8,177 Cambodians had been voluntarily repatriated with UNHCR help and around 37,000 had returned spontaneously. A meeting facilitated by Thailand in April, between Thailand, Cambodia and UNHCR, had resulted in further voluntary repatriations. He called on all parties in Cambodia to reconcile their political differences now that general elections had been held in order to bring about stability and speed up the repatriation process in accordance with the Paris Agreements.

42. With regard to the 100,000 displaced persons from Myanmar whom Thailand had sheltered for many years, his Government's policy was to provide temporary

protection for those fleeing from the fighting pending safe return to their homeland. In accordance with the principle of solidarity and burden-sharing, the Government had formally requested an expanded UNHCR role in dealing with the Myanmar refugees, by witnessing the process of admission, assisting the authorities with registration and the relocation of camps and helping with safe return. The Government and UNHCR would jointly monitor the progress of the working arrangements. His Government hoped that UNHCR would pursue a parallel dialogue with the Myanmar authorities with a view to providing assistance within that country, particularly for the reintegration of returnees. Such efforts by UNHCR would pave the way for a durable and comprehensive solution in the form of trilateral cooperation.

43. Thailand was currently consulting with interested parties on the hosting of a ministerial meeting for an international symposium on migration to be held in early 1999 with the aim of finding a comprehensive and practical approach with a view to more manageable migration flows in the region. His Government strongly supported the Asia-Pacific Intergovernmental Consultations on Regional Approaches to Refugee and Displaced Persons (APC) and welcomed its secretariat to Bangkok.

44. Mr. SUAREZ (Venezuela), speaking on behalf of the Latin American and Caribbean Group, said that responsibility for refugees could not rest exclusively with the States that were directly affected, i.e. the countries of origin, of transit and of asylum. It was essential to take a broad view that embraced the international community as a whole. That had been recognized in political and legal instruments at both the regional and the international levels and had become a universally accepted principle. The formal basis for international responsibility for refugees was to be found in the fourth preambular paragraph of the 1951 Convention, which stated that "the grant of asylum may place unduly heavy burdens on certain countries" and, although it was chiefly the countries of origin and of asylum that were concerned, the remaining States still had to bear their share of the responsibility, particularly since it was developing countries that shouldered a considerable part of the burden, as most of the world's refugee camps were found there.

45. As stated at the recent meeting of the Standing Committee of UNHCR, it was a complex task to assess the impact of mass flows of persons in either the country of asylum or the country of origin, since the overall impact was not merely economic, but also social, environmental and political, and could affect peace and security at the national, regional and even international levels.

46. The burden shouldered by the directly affected States had a significant effect on their domestic budgets. It was important for that burden to be shared at the prevention stage as well. That would require ongoing, open dialogue, first between the directly affected States and later with the international community, including international and non-governmental organizations, before crisis situations could develop or deteriorate, so as to anticipate and take steps to receive displaced populations and reduce the initial impact.

47. The burden should be shared because the problem affected the international community as a whole. An integrated, comprehensive approach therefore had to be adopted. The developing countries' burden was very heavy,

and should be offset through technical and financial assistance from countries with greater resources. While the regions had an important role to play in specific areas, the issue should be addressed from an international point of view so that countries would be able to harmonize their approaches.

48. Mr. MONTENEGRO MALLONA (Nicaragua) said he fully agreed with the replies given by UNHCR officials and the Chairman of the Standing Committee to the criticisms that had been levelled at UNHCR during the year and he commended the work of the Standing Committee, particularly that relating to international protection.

49. The difficulties experienced by the world's refugees were frequently forgotten and his delegation fully supported the UNHCR's programmes aimed at raising public awareness of their problems. The theme of international solidarity and burden-sharing reflected the spirit in which the international community had joined forces in 1951 to provide protection and assistance to Europe's more than 1 million refugees after the Second World War and his delegation endorsed the comments of the representative of Venezuela on behalf of the Latin American and Caribbean Group.

50. The costs incurred by countries striving for the protection and dignity of the innocent victims of armed conflict and violence should be shared by all. Refugees' problems were international in nature and the solutions to those problems could be found only through international solidarity. For geographical reasons, much of the burden fell to countries with seriously limited resources, for which it was difficult to provide protection and assistance or seek durable solutions. Although the chief responsibility lay with the directly affected countries, it was increasingly accepted that large influxes of refugees or returnees could hamper or jeopardize development efforts. Nicaragua was well aware of Governments' difficulties in finding durable solutions when economic, political and social structures were in a weakened state - as a result of armed conflict, for example. Nicaragua itself had made good progress in reintegrating returnees, but the combination of limited resources and the after-effects of war meant that such populations still presented problems even after eight years. Finding solutions required continuing collaboration with UNHCR and with other international organizations, in particular those involved with development and human rights, as well as the support of the entire international community, through technical and financial cooperation, in the absence of which the principles of international protection would be in jeopardy.

51. Referring to UNHCR programmes for refugees in Central America, he said that the problem of Guatemalan refugees had been dealt with by exemplary collaboration between the directly affected countries, Guatemala and Mexico, and the various international organizations involved, in a true spirit of international solidarity and burden-sharing. It was a matter of particular concern to his delegation that such a successful programme was in danger of abrupt termination for lack of funds. He called on donors to contribute to the final phase of a very valuable programme in order to bring it to a successful conclusion.

52. Despite the closure of most of the UNHCR offices in the subregion, durable solutions incorporating the concept of burden-sharing continued to be sought. El Salvador, for example, was currently in the process of integrating around 100 Nicaraguan refugees still in the country.

53. Mr. HÖYNCK (Germany), associating his delegation with the statement made by the representative of Austria on behalf of the European Union, said that his Government had a keen interest in all matters concerning refugees since Germany ranked second in terms of the number of refugees admitted. A global refugee policy was required, meaning that refugees should be distributed more equitably to ensure that the poorest countries did not have to cope with refugee crises alone, and greater efforts should be made to remove the causes of flight and expulsion. It was also important to share the financial burden, since it was unfair that only 15 countries should contribute to UNHCR's budget.

54. Although the annual theme of the current session was important, it should not divert attention from the first priority of international refugee policies, namely, the prevention of refugee outflows. Massive and serious human rights violations were the main reasons for large population displacements. Improving regional and global measures of conflict prevention, strengthening human rights advocacy and increasing international cooperation in the human rights field were proven and effective measures against the emergence of refugee situations. If the international community chose to follow that course more actively, human suffering would be reduced and the burden on receiving countries would be alleviated.

55. Mass influxes of refugees placed enormous burdens on receiving countries, especially the least developed. Even massive efforts on their part were insufficient to cope with the enormous political, economic, social and ecological consequences of such flows. The solidarity practised by international humanitarian organizations and States must continue.

56. Many industrialized countries such as Germany had shouldered a twofold burden as refugee host countries and major donors of humanitarian assistance. At both the federal and local levels, Germany was firmly committed to the high principles and standards of refugee protection as embodied in the 1951 Convention. That commitment included the implementation of the guiding principle of voluntary return, the formulation of return strategies and the establishment of conditions for safe return. Prompt return was crucial not only to alleviate the burden on receiving countries, but also to maintain a spirit of hospitality and solidarity among the population in receiving countries. Without the cooperation of its people, no democratic country could implement its obligations under the 1951 Convention.

57. It was important to ensure regular financing of humanitarian assistance. Many receiving States would continue to depend on the readiness and ability of the international community to share a large part of their burden.

58. Mr. AKASAKA (Japan) said that Japan would continue to support UNHCR's work despite its current economic woes; thus far in 1998, it had donated $100 million to the Office.

59. The regional conflicts which spawned refugee problems not only affected peace and stability; they actively hampered efforts to develop peaceful solutions, for example, in the Great Lakes region of Africa and the former Yugoslavia. The refugee crises of the past decade had created a number of problems such as a breakdown in humanitarian principles stemming from the forced repatriation and exclusion of refugees, the social and economic impact on host countries, militarized refugee camps, the separation of armed elements from genuine refugees, the security of humanitarian staff in the field and problems in gaining access to refugees, and rehabilitation and redevelopment support in post-conflict situations. Additional problems were the gradual loss of tolerance in host countries owing to the prolonged presence of large refugee populations and the increasing reluctance of donor countries to provide the necessary assistance. International burden sharing was therefore a most timely annual theme.

60. The concept of international solidarity and burden sharing was not new, but, in the past, it had traditionally been limited to refugee protection and assistance and finding durable solutions. The sheer scale of current refugee problems necessitated a broader approach involving United Nations and non-United Nations humanitarian and development agencies, international and local non-governmental organizations, countries of origin, host countries and donor countries. All agencies needed to cooperate and respond more flexibly to refugee crises and, in that connection, his delegation welcomed the relevant coordinating activities being undertaken by the Secretary-General. Political intervention was another key ingredient.

61. Because humanitarian agencies had been stretched to the limit in recent crises, governments had a duty to complement the agencies' efforts and rectify any omissions. Japan had therefore taken a number of relevant initiatives, including the organization of a series of conferences, symposiums and workshops in Tokyo.

62. Mr. FYFFE (Canada) said that his delegation deplored recent attacks on humanitarian personnel in the field. No country was immune from refugee crises, either as a source of refugees, a host country or a financial contributor. In that respect, an international burden-sharing mechanism already existed. In particular, Canada recognized the extraordinary burden shouldered by developing countries during refugee crises. Canada had given consistent support to UNHCR and was well known as a host country for refugees. Some 10 per cent of Canada's total immigrant intake was reserved for refugees in need of protection. Canada had also established a humane refugee determination system and devoted considerable resources to it. It was important to acknowledge, however, that bogus refugee claims placed a strain on those resources.

63. The tools used by the international community to deal with refugee crises had to refer to the 1951 Convention. Together with other human rights instruments, the Convention was the foundation of the international burden-sharing commitment and should be cited as a guide to action. It was also important to devise successful regional policies and national tools and programmes.

64. All countries in a position to do so should provide financial assistance to UNHCR and other humanitarian agencies dealing with refugees. Human resources were another vital ingredient. The problems of refugees could not

be addressed without the work of skilled and committed people. The staff of non-governmental organizations often exemplified those qualities. Moreover, non-governmental organizations were flexible, committed to equity and justice, thoroughly acquainted with local needs and directly involved with marginalized groups. Information based on shared experience and technical training programmes was another important resource. Above all, the most basic human resource was the social support of the local communities which received refugees and attended to their welfare.

65. The international community needed to develop resources which better addressed the full range of refugee experiences, with special emphasis on eliminating the prime causes of forced migrations. Billions of dollars had been spent on programmes to assist the victims of civil conflicts, but the real solutions to conflicts lay in the political realm. Experience had repeatedly demonstrated that humanitarian action was truly effective only when accompanied by political measures aimed at resolving conflicts. All members of the international community had a responsibility to find political solutions. In that connection, greater attention should be paid to identifying the causes of conflicts, promoting and protecting human rights and implementing confidence-building measures before refugee flows reached crisis proportions. That meant alleviating poverty and dealing with root causes such as human rights abuses. Canada was committed to working with other partners to achieve lasting political solutions.

66. States should provide the expertise to foster respect for human rights, develop tools for good governance and promote institution building. Such measures would help to prevent refugee crises and ensure that the gap between humanitarian assistance and development was bridged more smoothly. In post-conflict situations, tools and resources should be provided to facilitate the repatriation and reintegration of refugee populations. Most refugees wished to return to their homes, communities and land and the international community should find the means to help them do so. For those who could not be repatriated or integrated locally, resettlement remained a durable solution.

67. Burden sharing, based on appropriate tools and resources, could have a significant impact on refugee problems. A general framework for burden sharing in mass outflow situations should be based on fundamental protection principles. Although refugee emergencies occurred regionally, it would nevertheless be desirable to deal with them on a global basis. It remained a fact, however, that consensus on burden-sharing mechanisms would be more likely to emerge on a regional basis. The first option would therefore be to seek agreement among States with common characteristics. Cooperation among States with converging interests would then lead to collaboration among other groups of States in order to handle conflicts outside their primary regional sphere.

68. To ensure that the resources of the international community were used in the most efficient manner possible, an effort should be made to draw up an inventory of available tools and resources and assess their effectiveness for the refugee population.

The meeting rose at 4.55 p.m.

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HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 527th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 October 1998 at 10 a.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

CONTENTS

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (continued)

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GE.98-03304 (E)

The meeting was called to order at 10.25 a.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (continued) (A/AC.96/904)

1. Ms. BEDLINGTON (Australia) said that collective responsibility towards displaced people should focus primarily on the human dimension of the problem. In that regard, it should not be forgotten that the status of a displaced person was primarily a personal burden. The purpose of the current debate was to ensure effective coordination and delivery of the global capacity to assist and protect those in need. However, the term "burden-sharing" did not serve the purpose because it had negative connotations; it would therefore be advisable to use a more positive and appropriate terminology. There was also a need for a more profound study of the impact of massive population outflows, bearing in mind that refugees brought benefits as well as costs to host countries.

2. From the human rights standpoint, the primary obligation of States was to prevent the creation of new refugee flows in the first place by dealing with the root causes of the problem, namely, the poverty that led to instability, conflict and persecution. The goal of prevention lay at the heart of Australia's overseas aid programme, which provided a framework enabling the Australian Government to cooperate with other countries in the region in order to promote the development of human rights bodies, for example, the Indonesian National Commission on Human Rights. Following the outbreak of a conflict, sufficiently prompt intervention could prevent refugee outflows or, failing that, enable refugees to return in safety and dignity. In that connection, her Government wished to pay tribute to more than 1,500 peacekeepers who had made the ultimate sacrifice for the sake of a more peaceful world.

3. In 1998-1999, Australia's official development assistance budget had been set at $A 1.48 billion, of which the lion's share - almost $A 950 million, would be allocated to Asia and the Pacific, the region with the greatest concentration of people living below the poverty line. At the same time, her Government remained aware that, despite the benefits of the regional approach, it should not lead to the establishment of regional blocs. It was important never to lose sight of the global dimension. Conscious of the fact that the burden of refugee flows increased over time, Australia was endeavouring to give priority to early repatriation and, to that end, it had allocated some $A 100 million to various mine-clearance activities over the period 1995-2000. When repatriation was not feasible, local integration must remain one of the three durable solutions. Unnecessarily protracting the temporary protection phase would simply add to the costs for the host country. For many refugees, neither repatriation nor integration were suitable durable solutions. Australia, a country which owed much to the contribution of refugees, would continue to be a strong supporter of the resettlement solution. Aware of the fact that States were not the only actors in the humanitarian arena, her delegation wished to pay tribute to non-governmental organizations working in the protection and development spheres. Australian individuals and organizations had made contributions totalling $A 195 million in 1997.

4. When prevention measures were frustrated, it was incumbent on the international community to respond rapidly to protection and humanitarian needs. Whatever approach to the coordination of international and regional efforts was chosen, it should be ethically sound and ensure human rights for all; it should recognize the diverse ways in which all parties could contribute to the collective effort; and it should be sufficiently flexible and seek to use every opportunity to identify lasting solutions to the world's refugee problems. It involved the moral and international responsibilities of States, organizations and individuals.

5. Mr. ALEMU (Ethiopia) said that, although there was a general commitment to burden-sharing in the international community, the erosion of compassion and increased restrictions on the right to asylum had resulted in a blurring of the distinction between political refugees and economic migrants. Economic migrations brought to the fore the plight of a particular category that could not be ignored. That being the case, it was clear that developing countries had continued to bear the major part of the refugee burden. In sheltering refugees, the poorest of the poor were often forced to divert scarce resources from their development efforts. In that respect, the recent initiatives by UNHCR to address the environmental problems caused by the presence of a large number of refugees, particularly the afforestation and educational programmes, were encouraging signs. But the needs were too great to be met solely by UNHCR's efforts. UNHCR's partners such as UNDP, UNEP and FAO should play a more active role within the framework of a systematic, inter-State and inter-agency strategy. The problem was not only economic and environmental. The presence of large numbers of refugees generated new forms of insecurity which threatened not only the host countries, but also the countries of origin, as well as other countries in the subregion. In that regard, the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Addis Ababa in 1996, and the Conference on Refugee Protection and Security, held in Kampala in 1998, had shown that the discussion of common security concerns could result in important recommendations.

6. Full and effective repatriation and reintegration were crucial to finding a durable solution to refugee problems. While there was immense pressure to repatriate refugees, on the other hand, there was reluctance to provide the necessary assistance to reintegrate them, thereby strengthening peace and development. UNHCR could not meet those challenges alone either. There was a consequent need for a burden-sharing arrangement between the various organizations involved. In that context, his delegation welcomed UNHCR's efforts to cooperate with development actors such as UNDP and the World Bank, but there was still a shortage of coordinating mechanisms and lead agencies to implement reintegration activities in some of the countries that had received refugees.

7. The situation in Ethiopia was encouraging, in respect both of the repatriation of Ethiopians from the Sudan and of the return of Somali refugees to their homeland. Cooperation in that field was designed to ensure that those who had returned would not flee again and that those who remained would continue to receive assistance until they could return home in safety and dignity. However, Ethiopia was facing a looming danger posed by the presence of over 200,000 displaced persons. The Eritrean aggression was a violation of

international law which the international community could not leave unpunished at the risk of encouraging similar acts. The universal rather than selective observance of international law should also be seen as forming part of burden-sharing.

8. Mr. MANNING (United Kingdom) said that the theme of the session was central to the consideration of how to strengthen the work of UNHCR in its task of providing protection for refugees. The United Kingdom welcomed UNHCR's efforts to improve areas such as technical oversight, needs assessment, standards setting and the dissemination of evaluation studies and lessons learned. Progress in those areas would make it possible to respond to the High Commissioner's understandable concern about the level and predictability of resources.

9. The starting point for action should be the prevention or resolution of situations which produced refugee outflows. The promotion of human rights, political stability and social cohesion were central to his Government's strategy in that regard. However, it was not always possible to avert violent conflict. In such cases, the international community should show solidarity with the civilian population. Generosity was not always enough; it was also important to ensure that assistance was provided as effectively as possible. To that end, his Government had adopted 10 key principles to guide humanitarian operations in conflict areas. They reaffirmed his Government's commitment to international humanitarian and human rights laws; the importance of tackling the underlying causes of crises; the desire to establish partnerships across the north-south divide; and the need to encourage the participation of people affected by crises in efforts to find durable solutions. The United Kingdom was endeavouring to disseminate those principles as widely as possible both nationally and internationally in order to raise public awareness of the difficult issues falling within UNHCR's mandate. In addition, his Government had recently published a white paper containing proposals for a comprehensive overhaul of the United Kingdom's immigration and asylum system. The proposals reflected the Government's intention to ensure that no asylum-seeker in genuine need would remain destitute, while at the same time providing a disincentive to economic migrants. The proposals also aimed to expedite the decision-making process to the benefit of genuine applicants. The United Kingdom was firmly convinced that States had a responsibility to protect their own citizens and accept people who had been repatriated, whatever the original reason for their departure. States should also refrain from the practice of refoulement of refugees; they should offer protection in line with international human rights standards and obligations. Finally, they must protect the institution of asylum and the credibility of the asylum process. The international community should therefore work with UNHCR to ensure that the latter was able to discharge its difficult mandate effectively.

10. Mr. KHAN (Pakistan) said that the concept of international burden-sharing had become even more central to the protection needs of refugees than at the time of the negotiations on the 1951 Convention relating to the Status of Refugees. The magnitude of present-day refugee problems was far beyond anything anticipated by the drafters of the Convention. No country could respond to mass refugee flows without the support of the international community. Unfortunately, instead of focusing on international responsibility

and solidarity, there had been a pointless debate on whether burden-sharing was an international obligation. In order to find a satisfactory solution, it was enough to believe that the duty of States to cooperate in solving problems of a humanitarian character under the United Nations Charter extended to the issue of refugees.

11. Pakistan had hosted the world's single largest concentration of refugees for over a decade. A total of 1.4 million Afghan refugees currently remained in Pakistan under a policy of temporary protection with voluntary return as the preferred option. Although Pakistan was not a signatory to the 1951 Convention, it had adopted an extremely generous open-door policy towards the Afghan refugees. During the first two years of the refugee inflow, Pakistan had shouldered the entire burden of hosting the new arrivals until humanitarian aid had begun to flow in. That assistance had now dried up, even though half the refugees remained in Pakistan and the country was experiencing severe economic problems. The impact of the reduction of wheat supplies to the refugees starting in October 1995 had manifested itself in shortages which had caused food riots at the beginning of 1997. Despite the numerous social and economic problems caused by their presence, Pakistan had always treated the refugees in an exemplary fashion. The international community should assume its share of the responsibility for the refugees pending their return; at the same time, it should not impose a policy of forced integration, which, given the sheer number of refugees in Pakistan, would simply exacerbate the serious tensions that already existed.

12. Without international solidarity, the fragile economies of the South would be unable to fulfil their humanitarian obligations. Consequently, there was a need to operationalize the principles of burden-sharing as enunciated in the Convention and reiterated in various conclusions of the Executive Committee. The current session should reaffirm the following principles: first, given the universal character of international humanitarian law and the responsibility of the international community, burden-sharing was an essential element in dealing with refugee flows. Second, the absence of an equitable international system of burden-sharing endangered the viability of the present system of protection. Third, developing countries which, by an accident of geography, continued to host large numbers of refugees could not carry the burden alone. Fourth, burden-sharing could not be limited to regional arrangements or restricted to particular aspects of the refugee problem. Fifth, States should share the responsibility of granting asylum by putting an end to the stringent controls which were eroding the enjoyment of that right. Sixth, UNHCR should act as a catalyst to deal with the adverse economic, social and political impact of large-scale refugee influxes to developing countries. The magnitude of the refugee crisis threatened the current international protection regime. International solidarity and burden-sharing could be the pillars supporting the edifice of any future protection arrangements. The Executive Committee should demonstrate that the international community was united in its desire to protect and promote the fundamental human rights of all refugees.

13. Mr. BERTELLO (Holy See) said that the theme of international solidarity and burden-sharing for the protection of refugees was a key element of the Holy See's doctrine and commitment. The reaction of the international community to refugees was both a gauge of the political willingness to afford

them assistance and protection and a measure of the capacity of modern man to put himself in the place of other suffering human beings. Unfortunately, it was not always easy to make the transition from declarations of principle to concrete programmes of action. But international solidarity was needed more than ever, because many refugees had fled to countries that were already poor, thereby retarding those countries' social and economic development and jeopardizing their participation in the global economy. In addition, the degradation of the environment and the damage done to the infrastructures in those countries would inevitably have repercussions at the global level. Prevention therefore remained the most effective remedy.

14. While credit should of course be given to host countries, it was also proper to commend those countries which had agreed to the resettlement in their territory of refugees for whom repatriation was not a viable option. His delegation believed that finding a solution to the problems facing refugees in that category was still a matter of urgency because their quality of life and security were seriously threatened, quite apart from the possibility of political manipulation.

15. Reiterating the conclusions of a number of episcopal conferences of the Catholic Church, his delegation wished to voice its concern at the trend in certain countries towards restrictions on the entry of asylum-seekers into their territory and the granting of refugee status. Although all States were of course entitled to monitor the entry of aliens into their territory, it was alarming that, in some cases, States tended to protect themselves against refugees rather than offer protection to them.

16. Burden-sharing should help to strengthen family unity. The Holy See commended UNHCR on its unwavering commitment to the implementation of that principle by requesting host countries to attach due weight to the families of refugees and take account of the importance of reuniting families in their decision-making processes.

17. Mr. ETIANG (Uganda) said that his delegation welcomed the selection of the theme for the current session of the Executive Committee. The complexity of present-day refugee situations posed enormous challenges and had grave implications for international peace and security, as shown by the tragedies in Kosovo and the Great Lakes region of Africa. The international community should therefore come up with innovative ideas to promote solidarity with regard to refugee flows. Unfortunately, the existing international instruments did not explicitly mention a legal commitment to burden-sharing, yet the concept did exist and was referred to in a number of instruments, for example the Charter on Refugees of the Organization of African Unity (OAU).

18. African countries believed that there was an urgent need for a stable international framework for the sharing of responsibilities. The economic and social impact of large refugee flows into host developing countries had been a topic of discussion within the international community since the 1970s. The mechanisms and programmes of action that had emerged from the Second International Conference on Assistance to Refugees in Africa (ICARA II) held in 1994 were a step in the right direction, even though the lack of a focal

point or a follow-up mechanism had impaired their effectiveness. Lessons should be learned from the ICARA experience with a view to drawing up a future plan of action to deal with the plight of refugees.

19. The crisis in the Great Lakes region had highlighted the negative consequences of refugee flows on the social, economic and environmental fabric and the security of host countries. It was crucial to sensitize the international community to the heavy burden being shouldered by developing countries such as Uganda. The problems caused by refugee flows should be resolved by moving beyond emergency aid and embracing rehabilitation and development activities. To that end, humanitarian organizations and development agencies should undertake coherent and complementary activities in a spirit of international solidarity.

20. As a country which had been both a source of and a host to refugees, Uganda was very much aware of the predicament of refugees, as well as of the burden borne by host countries. It was currently host to some 200,000 refugees from the Sudan, the Democratic Republic of the Congo, Rwanda and Burundi. While recognizing that voluntary repatriation was the best durable solution, the Ugandan Government had allocated land for local settlement and the integration of refugees within the local community. Assistance to refugees should go hand in hand with consideration of the needs of the local population.

21. Uganda was committed to working closely with UNHCR and the international community to identify durable solutions to refugee problems. His Government commended Mrs. Ogata on her statement that UNHCR would look at ways to promote African solutions to African problems, whether through OAU or subregional mechanisms.

22. International protection was one of the principal objectives of UNHCR. It was therefore alarming to note that breaches of protection standards and principles were frequently committed by States and other actors alike. Pressure should be brought to bear on perpetrators in order to force them to respect those standards. In that connection, it was important to separate armed elements from bona fide refugees in order to maintain the civilian character of refugee camps. The Ugandan Government scrupulously observed such a policy, and that was why it condemned the recent bombing of two towns in northern Uganda where there was a large refugee population. The bombing of refugee camps was unacceptable and should be condemned by the international community.

23. Mr. DEMBRI (Algeria) said that, despite the slight decline in the number of refugees, the statistics published by UNHCR were still alarming. All national, regional and international actors should be mobilized to take up the challenges posed by the refugee situation. The theme of international solidarity and burden-sharing would then come into its own. Only a concerted approach could do justice to the wide-ranging issues raised by international protection, such as the human rights of refugees, the right of asylum and the right to family reunification. Confronted with massive population flows, host and transit countries - which for the most part were located in the South - had seen their room for manoeuvre reduced, especially as regional crises had proved to be additional destabilizing factors for them.

24. Algeria had always advocated durable solutions such as voluntary repatriation, integration and resettlement. His Government had just completed the voluntary repatriation of at least 50,000 displaced persons from Mali and the Niger who had sought shelter in Algeria in the past few years. Working closely with countries of origin and UNHCR, IFAD and UNDP, Algeria had given preference to ensuring their dignified return within the framework of triangular transactions. So far as the Saharan refugees were concerned, Algeria had always sought to give preference to the equitable implementation of the principle of voluntary repatriation and to support a just and lasting solution to their problems. In that regard, his Government welcomed the direct talks between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO), under the auspices of the United Nations, and reiterated its desire to expedite the process.

25. Algeria endorsed the efforts made by UNHCR in the context of United Nations reform to achieve greater efficiency in respect of coordination, management, intervention and prevention. His delegation was pleased that significant progress had been made in certain regions (Asia and the Pacific, the Americas), but remained concerned about the persistence and complexity of sources of tension in Africa (the Great Lakes region) and Europe (Kosovo). The financial problems facing UNHCR should not impact negatively on regions seriously affected by refugee problems. The international community should find the required resources to support the necessary efforts of solidarity and generosity with a view to relieving the suffering of the many populations in exile.

26. Mr. LI Changhe (China) said that his delegation fully approved of the theme chosen by the Executive Committee for its current session because the protection of refugees and the resolution of their problems could be achieved only through international solidarity and burden-sharing. Accordingly, asylum countries, resettlement countries and donor countries should pool their resources to meet the obligations imposed on them by international instruments. Developed countries should provide more assistance to developing countries, which hosted most of the world's refugees, while at the same time accepting more refugees for resettlement in their countries. If all parties concerned sincerely observed the principle of international solidarity and burden-sharing, the refugee-receiving countries would be encouraged to continue their open-door policy, thereby safeguarding the institution of asylum.

27. It was alarming to note that UNHCR was confronting growing difficulties in the field of international protection. On the one hand, refugees and humanitarian personnel alike had been the targets of continuous attacks which had caused UNHCR to withdraw from certain areas and interrupt assistance programmes. On the other hand, some countries had selfishly adopted highly restrictive asylum policies and reduced their donations to UNHCR, thereby jeopardizing refugee protection programmes.

28. Refugee problems should be tackled at the root and it was vital to preserve political stability, observe international standards and settle disputes by peaceful means. UNHCR should therefore cooperate with other

organizations in the United Nations system, including the Office of the High Commissioner for Human Rights, while preserving its strictly humanitarian character and avoiding duplication of work.

29. Despite economic constraints, China had allocated considerable human, material and financial resources to the reception of 280,000 refugees from Indo-China. UNHCR had also provided significant assistance. The Chinese Government was trying to hold diplomatic talks with the countries involved to ensure voluntary repatriation. As for those refugees who wished to remain in China, the Chinese Government would continue to help them and hoped that UNHCR would provide assistance in that regard. In addition, his Government had always shown its concern about the issue of the Vietnamese refugees in Hong Kong and hoped that UNHCR would continue to help it find a durable solution to that problem.

30. Ms. Sally WONG (China) said that the Comprehensive Plan of Action adopted by the International Conference on Indo-Chinese Refugees had shown how international cooperation could help to resolve a crisis. Ever since 1975, Hong Kong had provided asylum to more than 200,000 Vietnamese at a cost of over US$ 1 billion, not including a further US$ 150 million, which was still to be reimbursed through UNHCR, and other indirect expenditure. Since January 1998, Hong Kong had financed half of the operating costs of the camp run by UNHCR. The Government of the Special Administrative Region was endeavouring to reduce costs and improve the refugees' resettlement opportunities. Vietnamese refugees had the right to work and their children attended schools in Hong Kong. Given its population density and very strict immigration policy, Hong Kong could not grant permanent resident status to some 1,000 refugees who remained in its territory. In line with the Comprehensive Plan of Action, they should be resettled in third countries. The Hong Kong Government therefore renewed its appeal to third countries, particularly those which had subscribed to the Comprehensive Plan of Action, to examine the resettlement requests of the remaining Vietnamese refugees as flexibly and sympathetically as possible. Hong Kong was grateful to those countries which had accepted some of its Vietnamese refugees during the past year and to Japan, which had earmarked part of its 1997 contribution for the UNHCR programme in Hong Kong.

31. Mr. MORJANE (Tunisia) said that every country in the world regardless of geography was affected by the problem of refugees. Moreover, the various repercussions of population movements had a worldwide impact, whence the need for genuine solidarity in the international community. Notwithstanding the praiseworthy efforts of donor countries to support UNHCR operations and help asylum countries, international solidarity was not simply a matter of financial contributions. Solidarity should be apparent in all aspects and at all stages of the refugee problem, thus making a more comprehensive and finely tuned approach necessary. In that connection, it should not be forgotten that donor countries, which were generally the most influential in terms of global decision-making, had a special role to play in prevention issues.

32. Burden-sharing was a key element in humanitarian action because it was unrealistic to believe that certain countries of the South could escape their economic marginalization when they had had to cope with mass influxes of refugees. At issue was the credibility and even the viability of the new

system which the international community was endeavouring to establish. That was why, at a more general level, Tunisia regarded solidarity as a strategic national, regional and international objective. At the national level, even when the issue did not involve refugees, a national solidarity fund had been set up to improve the living conditions of vulnerable populations and a national solidarity bank had been founded to finance microprojects. Regionally, Tunisia had become involved in humanitarian and peacekeeping operations in Africa. Furthermore, assisted by WHO, it had recently established a Mediterranean centre to combat vulnerability. His Government hoped that cooperation could be established with other international organizations, including UNHCR, in order to respond to emergencies. Finally, at the international level, Tunisia had taken part in various humanitarian operations.

33. His Government reiterated its support for UNHCR operations throughout the world and especially in Africa, which set great store by international solidarity.

34. Ms. FAHLÉN (Sweden), associating her delegation with the statement made by the representative of Austria on behalf of the European Union, said that international solidarity depended on States both individually and collectively being committed to universally agreed norms, not just in general terms, but through concrete policy actions. In the context of refugees, the most important factors were the right to asylum, the principle of non-refoulement and voluntary repatriation in conditions of safety and dignity.

35. An examination of the various burden-sharing arrangements implemented to date had indicated the need for a creative, pragmatic and flexible approach. As demonstrated by the Concerted Plan of Action resulting from the International Conference on Refugees in Central America (CIREFCA), a successful combination of burden-sharing and international solidarity required national as well as regional commitment. CIREFCA had also facilitated discussion of the interdependent aspects of peace and security, humanitarian concerns, the establishment of the rule of law and development in the aftermath of violent conflict.

36. In order for a comprehensive approach to materialize, a commonly agreed diagnosis of the issues raised by mass influxes of refugees in poor countries was necessary. It was hoped that increased cooperation between United Nations bodies working in the humanitarian, human rights, political and development fields would favour the implementation of integrated solutions. UNHCR should encourage States to establish regional arrangements that guaranteed observance of international standards. Together with other relevant international organizations, it should promote regional cooperation on refugee migrations. Preference should also be given to cross-regional and subregional cooperation.

37. Closer attention should be paid to security and her delegation welcomed the Secretary-General's proposal for a mechanism to ensure the safety and physical integrity of refugees. The time had come to identify specific measures in that area and to place the necessary resources at UNHCR's disposal to improve security in developing countries which hosted refugees. It was to be hoped that a reformed UNHCR budget structure would contribute, inter alia, to more equitable burden-sharing. With reference to international aid that

had been made available in Kosovo, for example, European Governments should not only show solidarity with the victims of the conflict, but should also show solidarity in sharing the responsibility for refugee protection. Burden-sharing mechanisms must be tailored to each individual case.

38. Mr. DE PELICHY (Belgium), associating his delegation with the statement made by the representative of Austria on behalf of the European Union, said that burden-sharing in respect of refugees should be comprehensive and coordinated. In a multilateral approach of that kind, UNHCR played a pivotal role which required and deserved the political and financial support of the international community in order to be effective. International solidarity should be demonstrated at all stages of a crisis without rigid burden-sharing arrangements, since each case required a specific approach. Neighbouring countries were the most affected by the problem of refugees and were entitled to the unfailing support of the international community. They were the ones best placed to implement institutional solidarity arrangements. The international community should be responsible for providing neighbouring countries with assistance at all stages throughout a crisis.

39. Humanitarian action could not be truly effective unless it was accompanied by political measures designed to settle conflicts. In that regard, Belgium was continuing to play a role in preventing the spread of anti-personnel mines and the proliferation of and illegal trafficking in small arms. His Government also supported UNHCR's efforts to devise international stand-by agreements to identify solutions to refugee problems which posed security risks.

40. The Belgian Government had announced a broadening and deepening of its voluntary return programme, which made special provision for financial support for resettlement in the country of origin. Following the tragic death of an asylum-seeker whose request for asylum had been refused, Belgium had suspended forced repatriation operations and taken a series of measures to ensure that the expulsion of rejected asylum-seekers was carried out in a more dignified and humane manner. For the first time, the Belgian Government had explicitly stated that all asylum-seekers would be evaluated not only according to the criteria laid down by the 1951 Convention, but also on the basis of article 3 of the European Convention on Human Rights, which prohibited inhuman and degrading punishments. Lastly, in the international field, Belgium was also involved in raising public awareness of the various forms of ill-treatment suffered by women simply because they were women.

41. Mr. BESANCENOT (France), associating his delegation with the statement made by the representative of Austria on behalf of the European Union, paid tribute to UNHCR personnel throughout the world, who worked in often very difficult conditions and sometimes at the risk of their own safety, as illustrated by the case of Vincent Cochetel, who had been detained in North Ossetia for over eight months.

42. A clear link existed between respect for human rights and asylum, because the violation of fundamental human rights lay at the root of the massive migrations that had occurred in several areas of the world and of the various forms of individual persecution. Initiatives to counteract restrictions on human rights and to safeguard the rights of refugees and

asylum-seekers should be as closely coordinated as possible in order to ensure maximum effectiveness. France welcomed such efforts within the various organs of the United Nations, particularly UNHCR. It was also vital that all host countries for asylum-seekers and refugees should ensure the protection of human rights.

43. The theme for debate at the current session was complex and should be studied in all its aspects. Some countries shouldered a heavy burden with inadequate economic resources and their generosity should be recognized, but international solidarity was not simply a matter of mere numerical or financial burden-sharing, which was anyway impossible to implement at the international level. It was essential to take national and regional responsibilities into consideration. International solidarity should be viewed in terms of a comprehensive approach to refugee protection that took account of all stages in the process, from reception all the way through to repatriation (when conditions allowed) and in strict accordance with the 1951 Convention and the 1967 Protocol. The international community could thus lend its support at various levels and in different ways, including the area of protection. Cooperation with UNHCR was of fundamental importance and should be stepped up, thereby facilitating a more efficacious approach to international solidarity in all its aspects.

44. In order to underline the importance and unique character of the right of asylum, in the past year France had adopted new legislation with the dual purpose of eliminating any procedural irregularities that might arise and better protecting genuine victims of persecution. The law of 11 May 1998 adopted by the French Parliament made provision for two new forms of asylum. First, "constitutional" asylum, which henceforth made it possible to grant refugee status to persons who had been persecuted for actions intended to promote freedom, even if such persecution had not been State-instigated. Secondly, the force of law had been given to a procedure which had already existed, but which had not been incorporated into internal French law, namely, territorial asylum granted to an alien who risked being subjected to inhuman or degrading treatment or whose personal safety would be in serious danger if he were to be refused entry to France. Within the framework of the new legislation, the French Government had also wished to make greater allowance for the positive consequences of certain countries becoming stable democracies. Henceforth, applications for asylum lodged by nationals from countries covered by the cessation clause referred to in article 1, section C (5), of the 1951 Convention would be examined on a priority basis since it was important not to overburden the relevant structures with groundless applications.

45. Mr. ZISWILER (Switzerland) said that the UNHCR working document devoted to the annual theme was a good starting point for discussion. At a time of globalization, the most acute problems resulting from mass influxes of refugees affected the international community as a whole, even though the most affected were the first asylum countries. Their generous hospitality, which was often offered at the cost of human, social, economic and environmental disequilibrium, should be acknowledged. International solidarity and burden-sharing should not be restricted to periods of crisis; they needed to be applied continuously from the prevention phase, through the protection and assistance phase, right up to the rehabilitation phase. It was through the

efforts of UNHCR and the funding of its programmes, and also through bilateral initiatives, that international cooperation designed to provide relief to host countries was crystallized. The ratification of the 1951 Convention by the majority of States and its de facto implementation would mean that the burden could be shared as fairly as possible.

46. With reference to burden-sharing, refugees should be hosted on a primarily regional basis; such an approach should be complemented by a gesture of solidarity on the part of the richer countries through programmes run by UNHCR and other humanitarian actors. The wider concept of burden-sharing should include the responsibility of countries of origin to head off conflicts and internal tensions which could precipitate refugee flows. In post-conflict situations it was also necessary to create a favourable political climate, particularly in the field of human rights, enabling refugees to return in conditions of safety and dignity. In the aftermath of conflicts, burden-sharing should concern not only humanitarian and development actors, but all actors involved in political stabilization efforts. Switzerland believed that the efficient management of the post-conflict phase was an equally essential ingredient in the prevention of future crises.

47. Like other States, Switzerland was endeavouring to make its contribution to burden-sharing and international solidarity, for example, by supporting UNHCR programmes and accepting large numbers of refugees and asylum-seekers. As a ratio of the total population of the country, the net increase in the number of asylum-seekers entering Switzerland was by far the largest in Western Europe. In 1999, Switzerland would allocate $1 billion to hosting refugees and asylum-seekers.

48. The Swiss Government was concerned by the ever worsening situation in Kosovo, as evidenced by the arrival in Swiss territory of a large number of people fleeing that conflict. In an attempt to meet that major challenge, his Government had proposed that an international conference should be held in the near future on the topic of protecting refugees from Kosovo in the wake of the events of recent months. With the support of UNHCR, the conference should examine the protection instruments available to the States concerned, analyse the appropriateness of those instruments to respond to a dynamic and unpredictable situation and suggest measures to harmonize protection arrangements between neighbouring States and host countries, in addition to discussing international solidarity. Through extended consultation, such a conference would enable appropriate solutions to be identified.

49. Ms. JAHAN (Bangladesh) said that at their recent meeting, the leaders of the Movement of Non-Aligned Countries had stressed the need for international burden-sharing in refugee crises. They had also noted that developing countries hosted large numbers of refugees and displaced persons, and therefore required intensified financial and moral support. At the same time the principles of neutrality, non-conditionality and non-interference should be observed. The Executive Committee had long recognized that international solidarity and burden-sharing were key elements of refugee protection and the resolution of refugee problems. It had to be asked whether the international community had assumed that responsibility adequately. It was right that civilized societies should accept refugees and provide for them until they were able to return home in safety and dignity. The problem was bound up with

human rights because refugee flows were occasioned either by serious human rights violations or the absence of human rights in the political, economic and social fields. Receiving countries should ensure that refugees were guaranteed the basic right to life and security and, when prospects for their safe return seemed remote, they had an added responsibility to provide the right to education, employment and social amenities.

50. Despite numerous constraints, Bangladesh had itself received an influx of some 250,000 refugees from Myanmar in late 1991 and early 1992. It had been possible to resolve the issue almost entirely through bilateral negotiations with the Government of Myanmar. Voluntary repatriation operations had been conducted with the active participation of UNHCR and negotiations were continuing with a view to repatriating some 21,000 refugees from Myanmar who remained in Bangladesh. Political and administrative impediments had largely been overcome and her Government hoped that the funding constraints of UNHCR would not affect the completion of the repatriation process.

51. If in the future certain developing countries might seem to be reluctant to welcome asylum-seekers, it would simply be because they did not have the means to shoulder such a burden, particularly when repatriation prospects seemed remote. The situation was all the more alarming if account was taken of the steep decline in financial contributions to humanitarian bodies and agencies which had resulted in a significant downsizing of humanitarian operations. In order to enable UNHCR to meet growing demands for assistance, it would have to be provided with regular and adequate financial resources. The international community, including donor countries and international financial institutions, required further sensitization with regard to the severe pressures placed on the developing countries which hosted refugees. Their reaction should not be influenced by the level of media coverage of a particular crisis, but, rather, by the genuine needs and complexity of the situation. Their response should be extended to the long-term social, economic, environmental and other impacts on receiving countries in order to promote greater and more effective international burden-sharing. Where applicable, third-country resettlement must come within the ambit of international burden-sharing.

52. While the granting of asylum was governed by the principle of non-refoulement, there was no such definite principle for burden-sharing. Asylum was therefore considered obligatory while burden-sharing was not. In addition to economic costs, refugee hosting countries also had to bear certain social and economic costs which were not factored into burden-sharing accounting. The increasing tendency to use restrictive asylum policies, arbitrary detention and forcible returns had simply added to the refugee crisis. International cooperation should be solidly based on protection principles; protection challenges had to be addressed in all sincerity in order to draw up meaningful burden-sharing arrangements.

53. Mr. GOAGOSEB (Namibia) said that the theme of international solidarity and burden-sharing in all its aspects could not have come at a better time in the history of UNHCR. The worldwide refugee crisis had assumed alarming proportions and the number of people of concern to UNHCR had mushroomed. No sooner had a crisis been resolved in one part of the world than another

developed somewhere else; the question arose whether real international solidarity actually existed. Hosting refugees had economic and social consequences and the impact of refugee influxes was particularly stressful for developing countries whose meagre resources were insufficient to sustain their own populations. Despite their fragile economies and weak resource base, many African countries, true to African hospitality, had hosted thousands of refugees and should therefore be helped in their efforts to cope with the refugee burden.

54. Peace and stability had prevailed in the Southern African Development Community (SADC) except in Angola, where the situation had steadily deteriorated. His Government hoped that the international community would seek to resolve the problems connected with the smooth implementation of the Lusaka Protocol signed in 1994 by the Angolan Government and the National Union for the Total Independence of Angola (UNITA) and that Security Council resolution 1127 (1997) would be implemented in full.

55. Since independence in 1990, Namibia had hosted refugees from all over Africa and had shouldered its share of the burden since most of those refugees came from countries far beyond its borders. In its treatment of the refugees, Namibia was adhering to the guidelines set forth in the 1951 Convention, the 1967 Protocol and the provisions of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. The countries in the SADC region had examined the issue of burden-sharing within the framework of various regional forums, even though some outstanding issues needed to be ironed out. His Government had acceded to all the instruments pertaining to refugees; the refugee recognition and control bill, which would soon be referred to the Namibian National Assembly, was a further indication of Namibia's commitment to assist refugees. However, past experience had taught the lesson that an open-door policy ran the risk of attracting asylum-seekers from distant parts of Africa and the issue needed to be viewed from the standpoint of the country of first asylum.

The meeting rose at 12.55 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 528th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 October 1998, at 3 p.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (continued)

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The meeting was called to order at 3.10 p.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (A/AC.96/904) (continued)

1. Ms. ANDERSON (Ireland) said that the report of the High Commissioner on her visit to Kosovo and that of the Deputy Emergency Relief Coordinator on his visit to the Great Lakes region offered compelling evidence of the need for linkage between political and humanitarian action, for, in many instances, too great a burden of responsibility had been shifted to the shoulders of the humanitarian community. As the context of humanitarian action became more problematic, financial resources were diminishing and the political consensus on key aspects of protection appeared to be fragmenting. Any discussion of burden-sharing must begin with a clear acknowledgement of the contribution to protection made by those developing countries which hosted large displaced populations. Their needs and circumstances had to be a key focus of the deliberations of the Executive Committee. Developing countries were fully entitled to expect help in coping and burden-sharing was indeed extremely important in reinforcing the capacity of host countries to maintain generous asylum policies. At the same time, it could not become a prerequisite for the fulfilment of a State's international protection obligations.

2. The number of refugees living in Ireland was low compared with many of its partners in the European Union, as well as in many other countries. A particular characteristic of the situation in Ireland had been the need to cope with sudden changes in refugee numbers. Perhaps because of Ireland's island status, the numbers of those seeking asylum had traditionally been relatively small. However, the growth rate in asylum applications in Ireland over the past four years had been the highest in the European Union and the number of applications in 1997, expressed as a percentage of the national population, was one of the highest in the European Union. Responding to such a significant change in circumstances had posed many challenges and Ireland was now confronting the problems that many of the more traditional host countries had grappled with for a long time. Her Government frankly admitted that there had been problems and that it still had a distance to travel in finding the answers. Several months previously, it had been decided to fund a UNHCR staff member to come to Dublin and work closely with Irish officials dealing with the refugee influx. That arrangement had proven extremely helpful.

3. In recent years, Ireland had maintained a steady upward increase in its funding of UNHCR. In 1997, its overall contribution had increased by 38 per cent over the previous year. In 1998, to date, contributions had increased by a further 21 per cent and her Government hoped to maintain that pattern.

4. With regard to the issues raised in the report of the Board of Auditors, mistakes or oversights, where they had occurred, needed to be corrected. It would be absolutely wrong, however, if an exaggerated focus on those issues were to blunt the central message that UNHCR urgently needed to strengthen the financial support of member States in order to fulfil its mandate. Imbalances in funding programmes constituted another area of concern. UNHCR's

requirements in Kosovo seemed reasonably well met, while less visible programmes in West Africa were seriously underfunded. The response to refugee crises was too often partial and uneven and the consequent dilemmas for humanitarian actors were often great. She was pleased to have been able to inform the High Commissioner that the Irish authorities had recently made significant new contributions to UNHCR activities in Liberia, Sierra Leone, Mali, the Niger and Somalia.

5. The term "burden-sharing" had of course become well established in the lexicon of humanitarian assistance. Nevertheless, the UNHCR television spot recalled the richness of the contribution made by so many refugees in their countries of asylum. The word "burden" might well convey how refugees were seen in some societies, but it hardly did justice to how they should be seen. In the refugee context, at least, the term "responsibility-sharing" should be used as much as possible.

6. Ms. KUNADI (India) said that part IV of Executive Committee conclusion No. 22 (XXXII) of 1981 on the protection of asylum-seekers in situations of large-scale influx had elucidated the concept of burden-sharing with considerable clarity and her Government was disappointed that that issue had not been explored at greater length in the High Commissioner's paper on international solidarity and burden-sharing (A/AC.96/904). However, the very fact that a debate on that theme was being renewed in the Executive Committee was a welcome step towards a return to the enlightened approach the Committee had adopted in 1981. She regarded international solidarity and burden-sharing as multifaceted concepts which went beyond the mere provision of resources. Neither the duty to receive refugees nor the real costs associated with their arrival were fairly apportioned across the world. The distribution of State responsibility towards refugees was based on accidents of geography and the relative ability of States to control their borders. The entire system survived tenuously on undependable funding, which in turn circumscribed promises of cooperation. An international system which did not address those concerns adequately could not be sustained in the long run.

7. It was predominantly developing countries that were countries of origin and of asylum. Host developing countries, which put at risk their fragile environment, economy and social fabric to provide refuge to millions, were in reality the largest "donors". Meeting the needs of societies which produced as well as hosted the vast majority of refugees must therefore move to the forefront of the refugee agenda. It was also essential systematically to assess the economic and social impact of massive refugee populations and to identify ways and means to minimize that impact. The prevention of humanitarian crises through investment in long-term sustainable development in countries of origin was the most cost-effective approach available to the international community. Given the decline in official development assistance and shortfalls in funding for humanitarian activities, renewed efforts were needed to ensure that developing countries which generated as well as received refugee outflows were provided substantial and effective assistance by the international community. UNHCR's capacity to carry out its mandated functions must also be strengthened.

8. The international community must correct all trends that hindered refugee protection and seek to transfer the burden onto other regions of the

world. Burden-sharing did not mean that developed countries could meet their obligations only by assisting developing countries; it also implied that developed countries had to accept their responsibilities under international refugee law and refrain from unilateral practices and derogations that could contribute to a complete collapse of the international regime. She was surprised and dismayed that, as the world celebrated the fiftieth anniversary of the Universal Declaration of Human Rights, commitment to article 14 of that instrument was being steadily eroded.

9. With regard to the recent death of an asylum-seeker in the process of forcible deportation, India agreed that abuse of the asylum process should not be condoned and that it was legitimate for States to deport asylum-seekers who were adjudged as not in need of protection through an open, free and fair process which was subject to independent judicial review. Such returns must, however, be undertaken with full respect for the dignity of the persons concerned and their rights.

10. Ms. BAUTISTA (Philippines) said that, as the Asian continent hosted a very large group of refugees, numbering about 4.8 million, her Government fully recognized the burden of large influxes of refugees, particularly in the developing countries. She encouraged other States that had not yet done so to accede to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. On the national front, she was pleased to announce that her Government had promulgated Department of Justice Order No. 94, entitled "Establishing a Procedure for Processing Applications for the Grant of Refugee Status". That was in accordance with article 36 of the 1951 Convention, requiring States and parties to communicate to the Secretary-General the laws and regulations which could be adopted to ensure the application of the Convention.

11. While burden-sharing was borne primarily at the national level, regional and international burden-sharing should likewise be strengthened in order to achieve an integrated and comprehensive strategy based on protection, solutions and prevention. The Comprehensive Plan of Action (CPA) adopted in 1989 by the UNHCR-sponsored International Conference on Indochinese Refugees was a good example of the regional approach to resolving refugee problems; her Government had been a strong supporter of CPA. The Philippines fully agreed that the "sharing of responsibilities towards people uprooted by conflict and persecution is the most significant aspect of burden-sharing". Although refugee protection was primarily the responsibility of States, it was best achieved through effective cocperation among and between all States and UNHCR, with the support of the relevant international organizations and other relevant players, in a spirit of international solidarity. In the search for durable solutions, the special needs of refugee women and children, as well as the elderly and sick refugees, particularly in times of war and its aftermath, should not be forgotten.

12. Mr. MCHOMVU (United Republic of Tanzania) said that, as a major country of asylum in a region of great turbulence, Tanzania knew only too well the tremendous burden which countries of asylum had to put up with when hosting large influxes of refugees, such as those occurring in the Great Lakes region. Burden-sharing found expression in many of the major refugee instruments, including the 1951 Convention and the 1969 OAU Convention Governing the

Specific Aspects of Refugee Problems in Africa. While that concept was well established and recognized in theory, it was nonetheless a sad reality that the hiatus between theory and practice was very wide. As a result, the countries of asylum were to a large extent left to bear the brunt of the burden of hosting the refugees they admitted into their territories. That was particularly true in respect of long-standing refugee situations and, since there was no mechanism to apportion the sharing of the burden within the international community, whatever resources that were made available to the countries of asylum remained a matter of charity, left to the discretion of individual States. At times, the recipient countries ended up being blamed by a variety of pressure groups and organizations, some of which benefited from refugee situations.

13. His Government very much appreciated the response of the international community to the plight of refugees. Nevertheless, for poor developing countries, hosting refugees had now become a much heavier and more painful burden than ever before. In situations of ethnic conflict, which now seemed to be the norm rather than the exception, protecting refugees brought new risks to national security and promoted tension between States as a result of the close link between refugee outflows and armed conflicts.

14. The provision of protection in situations of mass influxes also resulted in extensive damage to the environment and infrastructure. In the case of Tanzania, the army had had to be deployed along parts of the border so as to ensure national security and territorial integrity, as well as the protection of refugee camps from attacks and infiltration from hostile quarters. In the Great Lakes region, there had been a monumental failure on the part of the international community to live up to expectations of solidarity and burden-sharing by failing to help separate armed elements from genuine refugees. The fruit of that failure was now being reaped with the continuing instability that threatened to engulf the whole of the Great Lakes and Central African regions. There was an urgent need for the international community to play its part in breaking the vicious circle of violence, if the hostilities were to be contained and those concerned with that state of affairs brought to their senses.

15. One of the lessons to be learned from the debacle of 1994 was that, where there was militarization of refugee camps, there was a need for the international community to be involved in ensuring the civilian character of the camps. Expecting the recipient countries to do that job amounted to burden-shifting and was clearly beyond the call of duty of host nations.

16. In those situations, there was also a need for the international community to address the root causes of refugee flows and to assist in the search for solutions to such conflicts as a way of obviating refugee outflows. Part of the measures taken could include checking on arms trafficking as a way of containing conflicts; that would require concerted action involving countries of asylum and the international community at large. Recipient countries must do what was in their power to check that arms did not reach belligerents, while those who produced and traded in arms should ensure that weapons did not proliferate in fragile situations and aggravate tensions in areas prone to refugee outflows. The profit motive must not be allowed to continue wreaking havoc on society. Where mines had been planted, the

international community should also be involved in removing them as a way of facilitating returns in safety and dignity. It was necessary for all those involved to play their part, including those who had planted the mines in the first place.

17. Unfortunately, there was a widespread, but mistaken, belief among the affluent and influential members of the international community that burden-sharing was restricted to the provision of funds for the care and maintenance of refugees. They would like to see the funds they donated to the cause of refugees being spent only on the acquisition of material things and for putting up facilities for refugees. Assisting the poor members of the local community was, however, a good investment in ensuring continued willingness by the community to accept refugees. Those who were critical of attempts to assist local populations were forgetting that, in reality, well before the international community had mobilized assistance for refugees, it was the local population in the countries of asylum that had cushioned the presence of refugees, sharing with them their meagre resources and providing them with initial care and sustenance. They did so willingly and without expecting anything in return and they also bore the impact of the presence of refugees after their departure.

18. International solidarity and burden-sharing did not end with the provision of protection for refugees in camps and went beyond the provision of relief and humanitarian assistance. It was equally important to ensure that the refugees achieved a basic level of livable conditions. The international community must ensure that adequate and timely relief was provided to refugees and at the same time take account of the needs of recipient countries.

19. It was unfortunate that the momentum of the Second International Conference on Assistance to Refugees in Africa and its Programme of Action seemed to have been forgotten and lost. Nonetheless, the basic tenets underlying that Conference remained largely as valid as they had been in 1981. The international community should fund fully voluntary returns. Unfortunately, the lack of financial resources had often undermined repatriation efforts even in those instances where such a solution seemed viable. It was also necessary to provide assistance to countries of origin that welcomed back returnees as a way of consolidating the return process and ensuring that return was durable. Donor States should show flexibility in the return process. They must realize that UNHCR could not simply dump refugees in their countries of origin and claim that they had solved the problem.

20. Tanzania did not share the view that, in present-day circumstances, it was feasible or even desirable to encourage local integration of refugees, owing to the nature and large numbers of refugees involved. While that possibility could not be ruled out completely for some countries, it was not an option for other countries which were hosting large numbers of refugees. Much as Tanzania remained and would remain a country of immense traditional African hospitality, recent waves of refugees and their nature had put that legendary generosity to a test. Third-country resettlement offered a better chance as part of the solution to refugee problems.

21. Mr. SUNGAR (Turkey) said that population displacement continued to be a source of acute human suffering. The classical definition of a refugee

contained in the 1951 Convention and 1967 Protocol relating to the Status of Refugees was no longer comprehensive. The link between internal or external armed conflicts and population displacement had become increasingly clear in the post-cold-war period and new categories of conflict-related displacement presented a serious challenge to UNHCR in terms of its protection and assistance mandate. However, the steady decline in recent years in the number of people requiring UNHCR assistance was an encouraging development, as was the UNHCR-assisted repatriation of some 3.1 million people in 1997.

22. He stressed the importance of flexibility and creativity in finding durable solutions to involuntary population displacements. Voluntary repatriation should continue to be the preferred solution, with UNHCR serving as a facilitator between the country of origin and the receiving country and as a simulator and guarantor among the refugee population. Where voluntary repatriation failed, third-country resettlement should remain an option, especially in cases where developing countries hosted large numbers of refugees.

23. The individual right to seek and enjoy asylum from persecution in other countries was a sacred one. The States parties to the 1951 Convention had undertaken to refrain from returning refugees to territories where their life or freedom would be threatened and to admit refugees to their territories through a fair and effective procedure in cooperation with UNHCR. International solidarity and burden-sharing constituted another established principle embodied in the fourth preambular paragraph of the Convention and highlighted in a number of Executive Committee conclusions, particularly Conclusion No. 22 (XXXII) of 1981 and Conclusion No. 77 (XLVI) of 1995. It was not, however, a prerequisite for meeting fundamental protection obligations. In theory, refugee protection was primarily a State responsibility and States were obliged to open their frontiers for humanitarian reasons, regardless of the prevailing circumstances. But the precepts had not always been applicable in practice, particularly during the post-cold-war period.

24. By its nature, humanitarian action preceded political action and political solutions. But the parameters of the conflicts of the 1990s did not lend themselves to rapid political problem-solving. As a result, the main burden of transfrontier movements was borne by countries adjoining the conflict area, which were usually developing countries whose authorities often had to divert considerable resources and manpower to deal with the influx to the detriment of their development efforts. Large refugee populations could also have an adverse impact on the environment, generate social tensions or disrupt regional and international peace and security. It was deeply regrettable that the enormous burden placed on host countries did not always receive the attention it deserved from the rest of the world and that humanitarian action was often viewed as a substitute for political action.

25. Turkey had experienced the inadequacy of international solidarity and burden-sharing in 1991, when half a million people had entered the country from northern Iraq in the aftermath of the Gulf crisis. Some leading donors, who had previously persuaded the country to admit such groups with promises of assistance in sharing the burden, had proved reluctant to keep their word when

Turkey was faced with serious long-term economic, social, environmental and security problems. Instead of earning praise for its humanitarian action, Turkey had become the target of international criticism.

26. His country attached importance to all initiatives aimed at promoting regional dialogue and cooperation on refugee issues in a spirit of solidarity and burden-sharing. The Turkish Government supported the follow-up process to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returners in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States and welcomed the progress made in the Regional Consultation process involving 14 countries, including Turkey, in Central Asia, South West Asia and the Middle East (CASWAME) initiated by UNHCR in 1997.

27. It shared the fear, however, that regional burden-sharing arrangements might lead to the creation of regional blocs with separate refugee regimes. The idea of creating a safety belt in the vicinity of the "core of Europe" through the development of new concepts did nothing to promote the principle of international solidarity and burden-sharing. If put into practice, it could lead to an inequitable division of responsibility, with the periphery of the continent bearing the burden. It should also be borne in mind that any regional burden-sharing regime must be complementary to, not at the expense of, global burden-sharing efforts. Turkish Governments had always supported the establishment of a systematic and effective global burden-sharing mechanism. Though perhaps impracticable for the time being, the idea should be espoused as a long-term project for an efficient, equitable and consistent response to refugee situations. While burden-sharing might not be a prerequisite for asylum and protection, it was a sine qua non for an effective global asylum regime.

28. He commended UNHCR on its remarkable presence all over the world under the able leadership of the High Commissioner and pledged Turkey's continued support and cooperation for its work.

29. Mr. SOLÍS CÁMARA (Observer for Mexico), commending the High Commissioner on her re-election, said that the Mexican Government had been gradually developing a migration policy designed to ensure greater openness, the protection of human rights and solidarity with asylum-seekers. Five mechanisms for consultations on migration and consular protection had been established with Guatemala, El Salvador, Honduras, Costa Rica and Nicaragua. In 1996, the General Population Act had been amended to make it more humanitarian and to provide for family integration. A Migrants' Documentation Scheme had been implemented to regularize the legal status of 50,000 Guatemalans who had been coming to south-eastern Mexico for decades to work as farm labourers. Half a million copies of the Spanish and English versions of the Human Rights Guidebook for Migrants had been distributed. Nine migrant protection groups had significantly reduced the incidence of criminal and abusive acts against migrants on both Mexican borders. Human rights training courses had been organized in cooperation with UNHCR and the Mexican National Commission on Human Rights for over 1,000 migration officials. The Programme of Support for Refugee Mothers involving Mexican Government bodies, the

United Nations Children's Fund (UNICEF) and UNHCR had been launched. Moreover, Mexico continued to pursue its traditional asylum policy, both within the country and in its diplomatic missions abroad.

30. Over 40,000 Guatemalan refugees had been successfully repatriated, a figure that represented 75 per cent of the Guatemalan refugee population. Mexico, Guatemala and UNHCR planned to complete the process of repatriation of some 5,000 additional refugees within the next 10 months. The Government of Guatemala was to be commended for its vigorous efforts to facilitate the process.

31. As announced by the Government of Mexico at the forty-seventh session of the Executive Committee, an integration procedure had been initiated in 1996, under which all Guatemalan refugees could obtain migration documents, which enabled them to seek employment, move about freely within the country and change their residence if they so wished. Moreover, over 2,300 persons would have successfully completed the voluntary naturalization process by the end of 1998. The Socio-economic Integration Scheme, including housing, employment, education and health components, had been launched in 1998 on behalf of Guatemalan families who had decided to settle in Mexico.

32. Mexico counted on the continued support of the international community and the active involvement of UNHCR and the Guatemalan Government in order to provide for and assimilate the inhabitants of the over 100 remaining camps on the Mexico-Guatemala border. The settlements built in the States of Campeche and Quintana Roo would shortly be brought under municipal jurisdiction on the same basis as other Mexican towns and villages. Both land and dwellings would be transferred to their current Guatemalan occupants under a social credit scheme. With the support of the European Union, development programmes for both Guatemalans and their Mexican neighbours had been initiated in both States.

33. In June 1998, the Mexican Government had taken steps in the State of Chiapas to enable Guatemalan families to settle in the areas they currently inhabited if they so wished. Alternatively, refugees were free to move from Chiapas to Campeche or Quintana Roo, where the prospects for integration were better. The 2,909 families in Chiapas could therefore opt for voluntary repatriation, local integration or relocation to another State.

34. The Mexican authorities had given priority to the provision of educational facilities for school-age refugees. Refugee schools had been integrated into the formal education system where they enjoyed such benefits as free textbooks and qualified teachers. Secondary schools equipped with television education facilities already existed in Campeche and Quintana Roo and would shortly be established in Chiapas. Health services included free distribution of drugs, hospital care and vaccination and sanitation campaigns. Other public services had been improved. They included vocational training and support for commercial and economic activities.

35. The Guatemalan refugees were respected and admired by local Mexican communities as a hardworking and creative people who were deeply grateful to the host country.

36. Mexico invited interested member States of UNHCR to visit the states of Campeche, Chiapas and Quintana Roo in order to obtain a firsthand impression of a project that could probably be described as unique. It was to be hoped that the final phase of the exemplary humanitarian solution to the problem of Guatemalan refugees in Mexico would be successfully completed in the very near future.

37. Mr. GÁNDARA GABORIT (Observer for Guatemala), congratulating the High Commissioner on her re-election, said his Government had had an opportunity to appreciate her human qualities when she had visited Guatemala the previous year to assess progress in the reintegration of returnees.

38. During the escalating armed conflict in Guatemala in the 1980s, thousands of citizens had been displaced internally or had sought refuge in Mexico. On behalf of President Arzu, he thanked UNHCR and the Government of Mexico for the valiant efforts they had made in conjunction with the Guatemalan Government to complete the process of integration, return and reintegration of some 62,000 displaced Guatemalans. Some 40,000 persons had been repatriated and reintegrated in Guatemala and Mexico had permitted some 22,000 Guatemalans to settle in the country. The world should take note that it was possible to find a lasting solution to the refugee problem and to provide for the neediest of those who had been driven from their homes by armed conflict.

39. The Guatemalan Government had negotiated with the representatives of the people to ensure their return in conditions of dignity and safety. Agreements had been concluded to give the process support and credibility. As announced at the previous session of the Executive Committee, the repatriation process was in its final phase. It was estimated that some 2,500 persons would return from Mexico before the end of the current year and some 500 more were expected in 1999. Guatemala was concerned that the final phase was jeopardized by the fact that UNHCR needed an additional US$ 3 million to implement its repatriation programme in the region.

40. The Peace Agreements signed between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca on 29 December 1996 had paved the way for a return to normal conditions of life in Guatemala. A major effort had been made by the Guatemalan Government, with the support of the international community, to fulfil the obligations thus incurred. The authorities had been working tirelessly to improve living conditions, particularly by providing support for health, education and basic infrastructure projects. A Government with clear aims and the interests of the people at heart was capable of forging the alliances needed to carry out its mission. Funds for social investment, the promotion of peace, environmental protection and housing had been consolidated and over US$ 400 million had been invested as a result on behalf of the neediest communities in Guatemala.

41. Following the establishment of the National Committee for Aid to Refugees, Returnees, and Displaced Persons (CEAR) in 1986, the National Fund for Peace (FONAPAZ) in 1991 and other public bodies under the 1996 peace agreements, it had been necessary to raise over US$ 200 million to operate and coordinate the sectors involved in return and reintegration activities. In

addition, the Government had made available over US$ 30 million from tax revenue for land purchases. Those activities had been recognized as unique by the international community, since persons displaced by other armed conflicts were usually relocated to areas without proper conditions, particularly in terms of legal security in relation to land.

42. President Arzu's Government had recognized the need to provide land for returnees and had made major efforts to negotiate and identify appropriate sites. Landowners had sought to obstruct the process by setting exorbitant prices. However, all problems had eventually been solved through negotiations and transparency and practically all returnee communities now had a place to live. To promote reconciliation among Guatemalans, steps were taken to resolve the conflicts generated by demand for land by internally displaced persons and the farming population. The Presidential Office for Legal Assistance and Dispute Settlement in Land Matters and the Land Trust Fund played a very active role in that connection.

43. As existing resources had proved insufficient to ensure compliance with the peace agreements, the Government wished to thank the international community on behalf of the people of Guatemala for their offerings and support. He urged friendly countries to maintain their support at the next meeting of the Consultative Group in Brussels, bearing in mind that documents reviewing progress in implementing the peace agreements were currently being prepared. In that connection, he stressed the importance of mobilizing the resources needed to reintegrate returnees and displaced persons, a major responsibility for all concerned in view of the importance of facilitating a gradual transition from the status of impoverished peasant to that of successful entrepreneur. The promotional programmes were designed, in particular, to achieve a multiplier effect in regions where settled communities lived side by side with a displaced population.

44. The peace process had opened up new opportunities for large sectors of the population. While it would have been extremely difficult to achieve the desired objectives without international cooperation, the Guatemalan people were the main actors and must persist in their endeavours to ensure a stable and lasting peace.

45. His Government thanked UNHCR for its assistance over the past 15 years and its investment of over US$ 50 million in projects to help the needy and to promote and build peace.

46. Mr. BRYLLE (Denmark) warmly congratulated the High Commissioner on her re-election. The energy that she invested in her work for the protection of refugees deserved the highest praise.

47. He expressed deep sympathy with the families of UNHCR staff members who had been killed under tragic circumstances and offered sympathy and support to the family of Vincent Cochetel, who was still in custody. He shared the hope that his safe release would be secured without delay.

48. He associated himself with the statement by the representative of Austria on behalf of the European Union.

49. The document on international solidarity and burden-sharing (A/AC.96/904) clearly showed the linkage between international responsibility to protect refugees and concerted action to achieve that aim. Denmark had carried out a comprehensive study on the concept of burden-sharing, taking into account the views of receiving States, academics and UNHCR, which he hoped would serve as an input for future discussions.

50. The 1951 Convention and the 1967 Protocol relating to the Status of Refugees, particularly the principle of asylum, were predicated on the fulfilment by the international community of its obligation to protect refugees in a spirit of international solidarity. Many countries, not least in the developing world, were hosting large numbers of refugees and displaced persons. The associated social and environmental burden and political impact could not be overestimated and the international community must recognize the serious problems that host countries faced and the special contribution they made.

51. Support for the aims and purposes of UNHCR, particularly in the form of financial contributions, was a way of demonstrating a solid commitment to international solidarity and burden-sharing. The Danish Government was committed to contributing 1 per cent of annual gross national income to development aid, including humanitarian aid. Subject to parliamentary approval, it would shortly contribute an additional 54 million Danish kroner, bringing its total contribution for 1998 to the equivalent of approximately US$ 43 million, a slightly higher figure than in 1997. Denmark thus remained one of the largest donors to UNHCR.

52. An important lesson learned from recent conflicts was that an effective response to the impact of conflicts was difficult in the absence of an overall strategy. The international community must respond more quickly and comprehensively to impending or existing situations of mass displacement in order to prevent or alleviate suffering, provide more adequate protection and limit the costs for receiving countries.

53. The need for concerted action in Kosovo was obvious. The High Commissioner's recent report demonstrated the seriousness of the situation and the need for a lasting political solution. Denmark supported efforts to ensure that UNHCR was in a position to provide protection for the large number of displaced persons and refugees, many of whom were facing winter in the mountains without adequate shelter, food and health care.

54. Arrangements for specific situations must be flexible enough to meet broad humanitarian concerns. Burden-sharing must encompass all stages of a conflict or distress situation, beginning with the definition of preventive measures and ending with rehabilitation and repatriation. Denmark strongly agreed with the European Union and UNHCR that the fundamental protection obligations of States were unconditional. The fulfilment of obligations could not be made contingent on solidarity and burden-sharing.

55. Coordination was crucial when conflicts had escalated to the point of generating refugees. The existing appeal system could be improved and, in that connection, he welcomed the strengthening of the role of the Office for the Coordination of Humanitarian Affairs (OCHA). The Consolidated Appeal

Process (CAP) contributed to a process of burden-sharing in which United Nations organizations dealing with humanitarian issues, social development, human rights and security worked closely together on the basis of an agreed division of labour. The international community should discuss ways of strengthening that mechanism.

56. Burden-sharing mechanisms were also lacking in the final phase of conflicts. The successful return and reintegration of refugees in post-conflict situations called for an efficient combination of humanitarian aid and development assistance to enhance the local capacity-building needed for reconciliation. The problem of bridging the "transition gap" needed to be addressed in a system-wide and coherent way.

57. The strong public interest in the report of the Board of Auditors (A/AC.96/901) should be viewed as a natural expression of interest in humanitarian assistance. Denmark had been pleased with the speed and openness of UNHCR's response to press criticism in that regard. The key to full credibility was openness and transparency. Contributions by member States to the funding of UNHCR were routinely scrutinized by parliamentary committees and auditors. A transparent and open UNHCR would assist member States in counteracting misunderstandings and contributing to public awareness of the complexity of UNHCR's work. In that connection, he welcomed the High Commissioner's announcement that a review of capacity and methods in the area of evaluations was being undertaken and trusted that the review to lead to a reform of evaluation policy to ensure that more evaluations were carried out by independent bodies and that the public was given access to all evaluation reports. UNHCR must act on the auditors' recommendations. He assumed that follow-up would be discussed in due course by the Standing Committee.

58. It was essential to ensure that women's and children's needs were adequately taken into account in the formulation and implementation of programmes.

59. UNHCR was doing an admirable job under very difficult circumstances and Denmark assured the High Commissioner and her staff of its full support.

60. Mr. LEBEDEV (Russian Federation) said that international solidarity and burden-sharing were fundamental principles designed to alleviate the suffering of displaced populations and to ensure mutual support among States when displacement became a destabilizing factor and had an adverse impact on regional and international security.

61. The globalization process, the new character of contemporary crises and the acuteness of current forced migration problems made it imperative to develop effective mechanisms for the promotion of international solidarity and burden-sharing. The promotion and protection of human rights, including those of refugees and displaced persons, called for a concerned effort by all States, a position reaffirmed in 1993 in the Vienna Declaration and Programme of Action.

62. International solidarity, based on strict compliance with international law, was a mutually beneficial tool for dealing with major humanitarian problems, an insurance against risks and challenges and an influential factor

in the historical process. The Russian Federation believed that solidarity should serve as a regulator for non-violent methods of addressing humanitarian issues, thus promoting stability in a multipolar world. His country knew from experience that the use of force to deal with complex problems only aggravated tension and created new problems.

63. An important feature of solidarity was its non-political nature, although it did incorporate a deep sense of morality. Solidarity could not be demanded: each State decided when and how to show solidarity with a neighbour in need and that was a measure of its sense of responsibility.

64. It was on that basis that the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in 1996, had adopted a Programme of Action proclaiming a combination of the paramount responsibility of the receiving State and the supplementary principle of international solidarity and had established a mechanism for burden-sharing.

65. The migration situation in Russia remained complicated: more than 5 million displaced people had moved from the CIS countries and the Baltic States into Russia since 1992. As of 1 July 1998, around 173,000 persons had been recognized as refugees and 966,000 as forcibly displaced persons. In addition, there were more than 700,000 illegal immigrants. The June meeting of the Steering Group of the Conference had examined the situation and participants had said that a successful solution depended on striking a fair balance between the principle of responsibility and solidarity, and the actual States concerned. The balance appeared, however, to have remained one-sided. Despite recognition of the acuteness of the situation at the forty-eighth session of the Executive Committee, UNHCR's support for Russian projects was still set at $10 million, even though Russia's federal expenditure alone had doubled to $230 million.

66. The latest developments in the world financial crisis had further complicated matters in Russia and social tensions were running dangerously high. Some aspects of the Federal Migration Programme had been suspended and that was expected to have a negative impact on migrants. In such circumstances, there was an urgent need for international solidarity with a view to keeping the reforms on track, as the new Government was fully determined to do. The contribution of the international community to solving the problems of forced migration would certainly help ensure the success of Russia's democratic transformation.

67. Russian efforts to press ahead with reform helped to prevent the expansion of forced migration flows towards other countries and it was regrettable that they were underestimated and that interest in the migration problems of the CIS countries had waned. His delegation expected the Executive Committee to make a decision to implement the Programme of Action, which would serve as a real reference point for strengthening international solidarity and burden-sharing in that area.

68. He expressed gratitude to the management and staff of UNHCR, who tried to maximize existing possibilities despite difficult financial and political

conditions. The Russian delegation sympathized deeply with the tragic abduction of Vincent Cochetel. Everything possible was being done to ensure a prompt release and he hoped those efforts would meet with success in the very near future.

69. Mr. BÕSENBACHER (Hungary) said that, since it was often the absence of human rights guarantees that caused mass exoduses and displacement, the most effective way to deal with the problem of refugees was through human rights policy. However, while Governments were accountable for violations of international human rights standards, human rights could no longer be considered an exclusively domestic matter, but were of legitimate concern to the international community. Human rights action that was taken as part of preventive peace-building, in order to strengthen the rule of law and civil institutions, non-governmental organizations and the media, might avoid man-made disasters, the collapse of Governments and the outbreak of conflict, and thus protect those in danger of displacement. The most practical, satisfactory and durable solution to the problem of protection was to provide temporary protection followed by voluntary repatriation with international monitoring of returnees' safety, thereby enabling the State to resume responsibility for the human rights and fundamental freedoms of its own people.

70. For millions of refugees, the right to seek asylum was a precondition of their enjoyment of fundamental rights and freedoms denied elsewhere. In that context, he was pleased to report that Hungary had withdrawn its geographical reservation to the 1951 Convention and the 1967 Protocol. That meant that non-European asylum-seekers could now directly approach the Hungarian authorities rather than the Budapest office of UNHCR and that Hungary was now able to meet its international obligations on a non-discriminatory basis. Parliament had also recently enacted asylum legislation laying down procedures regulating refugee status determination, accommodation, support, data processing and supply, as well as establishing various categories of protection. His delegation was grateful to UNHCR for its cooperation in formulating and implementing the Asylum Act. Mandate refugees who had been granted protection by UNHCR before 1 March 1998 had had three months to apply to the Hungarian authorities for recognition as refugees. That process had been completed in formal terms, but individual cases had not yet been examined. Continued financial and intellectual support from UNHCR in the future would assist Hungary in preparing for membership of the European Union. In that regard, European Union experts were for the first time helping to train Hungarian decision makers and officials, thanks to support from UNHCR and the European Union's Odysseus programme.

71. Meeting the challenges of today's humanitarian crises required tight coordination among international organizations, in a spirit of solidarity and burden-sharing. One example of such coordination had been the meeting held in Budapest in 1995 in preparation for the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, which had addressed the question of regional cooperation on migration. Mechanisms for burden-sharing should be established on a regional basis, with flexible criteria according to the political, economic and social conditions of the States involved. To be

effective, such mechanisms should make it possible for countries not directly affected to participate in receiving refugees. Nevertheless, burden-sharing could not be a prerequisite for solidarity or for States' fulfilment of their obligations to protect refugees.

72. The number of asylum-seekers from Kosovo arriving in Hungary continued to increase and Hungary alone could not ensure their satisfactory protection. He welcomed the inclusion of the issue on the agenda and his delegation wished to help formulate and implement recommendations aimed at solving the burden-sharing problem.

73. Mr. MOHAFA (Lesotho) said that political instability in his country was causing great difficulties. Armed supporters of the opposition, which had accused the Government of election fraud, had taken the law into their own hands and brought chaos to the streets of the capital, Maseru. The situation had come to a head when the Lesotho Defence Force had mutinied, making it impossible to restore law and order and forcing the Government to appeal to its neighbours for assistance. South Africa and Botswana had sent a small contingent of soldiers to restore law and order and ensure sufficient stability for constructive dialogue. The situation had in fact stabilized and begun to return to normal.

74. In the meantime, however, large numbers of foreign and local residents had fled into South Africa. Their plight was serious, but had not yet reached crisis proportions. More than 1,600 Basotho and around 400 foreigners were still outside Lesotho and had been provided with temporary housing by arrangement with the South African authorities. The Government now faced the difficult task of repatriating those who had fled and assisting others who had been affected by the violence. He called urgently on the international community for humanitarian assistance because the destruction of the infrastructure had led to the collapse of the country's disaster relief mechanism and it was proving difficult to cope.

75. Lesotho urgently needed help in drawing up a coordinated plan of action, in repatriating those who had fled into South Africa, in providing temporary accommodation for the internally displaced and in organizing the distribution of emergency supplies, particularly food and medicine.

76. Lesotho had itself offered humanitarian assistance to displaced people in the past. As a result of the positive political developments in South Africa, the numbers of people seeking asylum had fallen sharply in recent years and the Refugee Coordination Unit had ceased operating in 1993. Recently, however, the Unit had been revived and was currently helping to coordinate Government departments in matters relating to asylum-seekers. In addition, it ensured that refugee issues were dealt with in accordance with international instruments. An interministerial committee had also been set up to coordinate the screening of applicants for refugee status.

77. Apart from economic refugees and illegal immigrants attempting to reach South Africa, who continued to present problems, the number of refugees in Lesotho was very low and most of them were employed. There was a small emergency fund, but no special budget for refugees and a sudden influx would create immediate problems.

78. Lesotho was committed to the protection of asylum-seekers, all of whom were granted asylum as long as they satisfied the conditions of the 1951 Convention and its Protocol and the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. There was no geographical limitation and there had been no incidents of refoulement. Nevertheless, despite its small number of refugees, Lesotho requested UNHCR support for capacity building.

79. Mr. NEGROTTO CAMBIASO (Italy) said he shared the High Commissioner's view that flexibility and predictability of funds were important for effective action and the timely delivery of programmes. In addition, his delegation fully endorsed Austria's statement on behalf of the European Union, but would like to make some comments based on Italy's experience.

80. Italy supported the adoption of an integrated approach to the refugee problems of Central America within the CIREFCA framework and through regional human development programmes. It had also played an important role in peace-building in Mozambique and in creating the conditions for repatriating refugees. Together with other countries, Italy had also undertaken comprehensive reconstruction action in Albania, aimed at preventing further mass exodus, and had repatriated, in safety and dignity, those who had already left, granting full access to asylum procedures.

81. Italy attached great importance to international solidarity in moral, financial and political terms and to broad international commitment to alleviating the suffering of millions of refugees, which jeopardized what in many parts of the world was a fragile peace.

82. Host countries shouldered the greatest burden in assisting refugees. Since most of those were developing countries with scarce resources, the concrete support of the international community was fundamental. Prevention in the form of political and diplomatic action to resolve conflicts and guarantee human rights and support for economic and development cooperation in reducing poverty and social injustice were vital to any strategy of international solidarity and burden-sharing.

83. A comprehensive approach to humanitarian crises - from prevention to the post-conflict phase - required the participation and coordination of actors at the local, national and international levels. In particular, his delegation hoped that the Office for the Coordination of Humanitarian Affairs (OCHA) would help correct the deficiencies in the coordination of United Nations agencies and organizations, a step that would improve resource utilization and relieve UNHCR of some of the tasks, especially reconstruction activities, which did not come under its mandate, but which it was forced to carry out because of the insufficient role played by other organizations. He expressed appreciation for UNHCR efforts further to promote the participation of non-governmental organizations, which represented one of the most advanced manifestations of civilized society.

84. Burden-sharing mechanisms should be implemented at the regional level, where mutual knowledge - and therefore a common understanding of the problems - made it easier for countries to cooperate effectively. Such a focus would not in any way detract from efforts at the national and

international levels, and indeed could boost them. Moreover, regional cooperation could facilitate a revaluation of the role of UNHCR, which could be limited to covering unmet needs, thereby freeing resources and time to deal with emergencies.

85. Lastly, his delegation called on the international community to redouble its efforts to increase security and protection for humanitarian personnel, who were paying too high a price in the performance of their duties.

86. Mr. BILUKHA (Observer for Ukraine) said that a refugee problem had arisen in Ukraine following the collapse of the former Soviet Union and the ensuing military conflicts and interethnic tension. A law adopted in 1993 had established special administrative departments to deal with migration and refugees and, in February 1996, a procedure for the processing of asylum applications had been instituted. That service currently operated in 21 Ukrainian regions. As of 1 July 1998, there were 2,931 refugees in Ukraine, of whom 1,017 were children under 16 years of age. Some 80 per cent of the refugees were from Afghanistan, although 48 different nationalities had been recorded.

87. When it had begun its work, the migration service used to grant refugee status to 80 per cent of all applicants, compared with approximately 40 per cent at the present time. Economic migrants were barred from claiming refugee status under Ukrainian law. Despite its economic problems and the tighter immigration policies of its Western neighbours, Ukraine was still a desirable destination for refugees from a number of politically unstable countries. Over half of all refugees in Ukraine wished to stay in the country on an extended or permanent basis.

88. His Government therefore faced enormous problems in terms of integrating refugees into Ukrainian society. A number of questions remained unresolved. Owing to the acute financial crisis in the country, there were no plans to offer material assistance to refugees until 1999, nor had any accommodation been made available to them. Much work remained to be done in terms of refining relevant legislation and putting it into practice. In that connection, a revised and updated law on refugees was being drafted which would reflect world experience and the practical results of the legislation currently in force. Ukraine was also looking at the possibility of acceding to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees.

89. UNHCR had provided technical assistance to the Ukrainian migration service, helped to open a reception centre for refugees, trained Ukrainian staff and supplied teaching and information material. The Ukrainian authorities had taken account of UNHCR's wide experience of dealing with refugee problems all over the world and had followed UNHCR recommendations in framing legislative instruments.

90. UNHCR had also helped to integrate refugees through the payment of special integration grants. Together with non-governmental organizations, it had implemented programmes to provide them with facilities, medical assistance and the opportunity to learn Ukrainian. UNHCR efforts had been so successful that there were plans afoot to open regional offices throughout the country.

91. An important area of UNHCR's work in Ukraine was connected with the return and resettlement of people who in the past had been deported because of their ethnic origin. Between the 1930s and the 1950s, a total of 3 million people had been deported from Ukraine. To date, more than 260,000 returning Crimean Tatars had been resettled in the Crimean Autonomous Republic, a migration that had caused many problems for the Ukrainian Government. Since independence, Ukraine had invested approximately US$ 300 million on housing and infrastructure projects for the returning Tatar population, as well as setting aside land for future returnees. Considerable efforts had also been made to provide a cultural and educational infrastructure for the Crimean Tatars.

92. Ukraine had taken a number of practical steps to secure the backing of donor countries, international organizations and charities for its repatriation and resettlement programmes. All assistance was gratefully received. While it was true that significant problems remained, his Government was nevertheless confident that the international community endorsed the concept of controlled migration into Ukraine, which would not only satisfy Ukrainian interests, but would also contribute to international stability in the wider context.

93. Mr. PRIETO CASTRO (Spain) said that, while endorsing the statement made on behalf of the European Union, he wished to comment on some aspects of the annual theme that were of particular interest to Spain.

94. Burden-sharing and international solidarity were complementary imperatives that went beyond the basic principle that host countries were primarily responsible for protecting and assisting refugees and returnees. The coordination of international efforts by UNHCR was particularly important in situations of mass influx and also of large flows of people who in all fairness should be given international protection, even though they were not covered by the 1951 Convention.

95. Spain's concern to receive and protect persons fleeing from various kinds of conflict, whether in large groups or individually, and who were not necessarily eligible for recognition as refugees under the 1951 Convention, had led to the amendment of the Asylum Act in 1994.

96. Although the thematic paper prepared by UNHCR highlighted a number of regional initiatives, conceptual precision was essential in addressing the issues of burden-sharing and international solidarity. There was a wide range of situations in which States had to deal with requests for protection. For those persons who came within the scope of the 1951 Convention and were in need of international protection, States had a duty of non-refoulement, regardless of the situation. That category should include those who needed temporary international protection, without prejudice to the recognition of refugee status. It was a different matter, even in cases of mass influx, when the applicants were not entitled to international protection because their applications were clearly unfounded and displacement had occurred for reasons other than the persecution referred to in the 1951 Convention and regional instruments.

97. European Union efforts to devise burden-sharing mechanisms were conceptually distinct from its moves to rationalize and allocate responsibility for flows of persons across the external borders of the Union. The Dublin Convention was a basic instrument for determining where responsibility for examining asylum applications lay, in order to avoid asylum-seekers being passed on through a series of instances, in violation of their right to have their application considered and ruled upon.

98. Consideration should also be given to the development of systematic early warning mechanisms with a view to sharing the burden of reception and temporary residence. The European Council had indeed adopted a decision in 1995, calling upon UNHCR to take on a basic role in early warning procedures. At the same time, there was a need to strengthen other mechanisms relating to preventive diplomacy, peace-building and the promotion of economic and social development in the context of the defence of human rights, an area to which Spain gave high priority and to which it had devoted considerable effort. In that way, Spain complied with UNHCR recommendations to attempt to eliminate the causes of mass population movements. Equally important was the establishment of conditions conducive to voluntary repatriation, as exemplified by efforts in the former Yugoslavia. Flexibility was essential to any international solidarity or burden-sharing initiative, including the principle of differentiated responsibility, that would allow States to respond according to the situation, taking account of all the specific factors at work in a given flow of refugees.

99. Mr. ZAHRAN (Observer for Egypt) said that African countries had taken the lead in initiating a form of solidarity and regional cooperation to solve the problems of refugees and displaced persons and to alleviate the burdens on those host countries which had been swamped by refugees. The 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa had called for burden-sharing and solidarity to resolve precisely that issue. Greater attention should be paid to the African refugee crisis and the associated political, economic, social and environmental problems of developing countries which had been forced to take in large numbers of refugees for extended periods.

100. There had been a regrettable decline in the volume of donor contributions and pledges made to international organizations and specialized agencies working in the humanitarian field, including UNHCR. His Government therefore urged donor countries to continue to offer financial and material support to enable UNHCR to fulfil its humanitarian role. Such contributions should not be linked to unrelated conditions; all States should pay their annual contributions to the regular budget of the United Nations in order to ensure that adequate funds were available to carry out humanitarian mandates.

101. His delegation was uncomfortable with the idea of implementing projects that would enable refugees to become self-reliant in their host countries. Such projects would contradict the temporary nature of refugee status and might result in local people having to compete for work with refugees, thereby fuelling unemployment and resentment.

102. Of particular relevance to the question of international solidarity and burden-sharing in respect of refugees was the financial crisis which was

besetting the United Nations Relief and Works Agency (UNRWA) and was severely affecting that agency's capability to carry out its responsibilities to Palestinian refugees who had been forced to leave their homes and seek refuge in neighbouring Arab States. UNRWA would require continuous financial and technical assistance and support until a just and lasting solution to the Palestinian problem had been found and the return of all refugees and displaced persons had taken place. His delegation therefore called on the High Commissioner to ensure the closest possible cooperation with UNRWA.

103. Africa was still plagued by a number of conflicts that generated refugees and displaced persons. Greater efforts were needed to find political and humanitarian solutions. In the former Yugoslavia, by contrast, the Dayton Peace Agreement had led to a remarkable improvement in the situation of refugees in Bosnia and Herzegovina. However, the international community was still obliged to provide the necessary conditions for the voluntary return and reintegration of refugees by accelerating the process of bringing to justice persons accused of war crimes and crimes against humanity. The "Open Cities" policy would also be of enormous help to refugees. For its part, Egypt had made continuous efforts to help victims of the war in Bosnia and Herzegovina. In addition to participating in the international forces in Bosnia, Egypt had organized fund-raising campaigns, fulfilled all the pledges it had made at donor conferences and built a school and a hospital in Sarajevo and an orphanage in Mostar.

104. The protection of refugees and UNHCR field personnel would be considerably enhanced by the speedy signing and ratification of the Statute for an International Criminal Court. In that connection, his Government deplored the killing and kidnapping of humanitarian relief workers.

105. Mr. GANEGAMA-ARACHCHI (Observer for Sri Lanka) said that the distinction between humanitarian and political factors in some refugee crises remained unclear. A correct understanding of that reality was essential when discussing protection, assistance, solution and prevention. The complexity of refugee crises necessitated a flexible approach based on clear-cut neutrality and humanitarian considerations. Enhanced burden-sharing arrangements and increased international solidarity could only strengthen and develop UNHCR's capacity to meet current and future challenges.

106. Terrorists and human traffickers frequently abused the institution of asylum and international law relating to refugees. UNHCR had been in the forefront of dealing with migrations of people who had been displaced as a result of terrorist violence. Abuses by traffickers of human beings (such as international criminal organizations and terrorist groups) greatly limited the space available for genuine refugees. Criminal and terrorist groups merely used asylum-seekers as a way of raising funds abroad.

107. Recent United Nations initiatives on terrorism had signalled the danger clearly. All States had a duty to suppress terrorist groups operating out of countries of asylum and to curtail their fund-raising activities. International burden-sharing should include action to combat human traffickers, pooling of information and intelligence, better screening

procedures and deterrent action against terrorist groups and front organizations engaged in fund-raising. Such measures should be implemented in tandem with ad hoc national containment programmes and UNHCR special programmes.

108. Internationally agreed action against illegal human trafficking and fund-raising would not undermine the 1951 Convention regime. On the contrary, such measures would be an essential ingredient in making optimal use of UNHCR's ad hoc assistance programmes which were tailored to specific situations and designed to contain, minimize or eliminate contrived population outflows.

109. While a more systematized burden-sharing mechanism could result in administrative or institutional efficiencies, one of UNHCR's main strengths was the ad hoc nature of its arrangements and its ability to adapt to widely differing situations. Systematization should not be pursued at the expense of flexibility. The UNHCR Special Programme in Sri Lanka, for example, was associated with a very important humanitarian aspect of the Government's overall strategy of mitigating the effects of terrorist-initiated violence and promoting a negotiated political solution to the ethnic issue in the country.

110. Mr. SOMOL (Observer for the Czech Republic) said that asylum statistics in the Czech Republic had converged with similar indicators in other European Union States. The influx of asylum-seekers had stabilized. Most refugees were of non-European origin. The number of refugees from southern and eastern Europe had declined. The recognition rate was between 4 and 5 per cent.

111. His Government's policy was to reform asylum institutions and procedures and to introduce fairer, faster and more transparent mechanisms consistent with European Union standards. Since 1 October 1998, responsibility for processing asylum applications had been transferred from the police to the Ministry of the Interior. A special asylum appeals commission would be established shortly.

112. Significant new asylum legislation was being introduced. The new law, which had been drafted in accordance with UNHCR recommendations, would provide a framework for quicker processing of applications and flesh out existing procedures for the integration of recognized refugees.

113. Other steps towards the harmonization of asylum procedures and institutions were outlined in the National Programme for Accession to the European Union, which was due to be implemented by the year 2003. The programme made provision for the completion of the reform of asylum institutions and the specification of asylum procedures at airports, for example, in respect of undocumented aliens. In that connection, an exchange of information with the European Union, other States, UNHCR and other institutions would be useful.

114. Mr. NJADDER-BEDAYA (Observer for the Central African Republic) said that the Central African Republic would continue to play a role in dealing with the aftermath of refugee crises and, in that connection, his Government was very grateful to donor countries and various agencies of the United Nations for

their help in enabling the Central African Republic to shoulder its share of the refugee burden. While always willing to act as a host country, the Central African Republic was also eager to deal with the root causes of refugee flows through the promotion of peace and harmony.

115. His country's recent experience of hosting Rwandan refugees had not been happy. Although most of the Rwandans living in camps in the Central African Republic were genuine refugees, their behaviour as a group left much to be desired. They had been responsible for a number of murders, including those of two policemen. Fortunately, the Democratic Republic of the Congo, the first country in which they had sought asylum, had expressed a willingness to take them back.

116. His Government was also counting on the help of the international community to turn the sites of vacated refugee camps into new towns with running water, thereby arresting the drift of the local population from the countryside. In addition, the stringent measures imposed on the Central African Republic by the Bretton Woods institutions had hampered the country's efforts to help itself.

117. Finally, African Governments had a duty to show solidarity with one another and cooperate closely to ensure that the misery and suffering occasioned by refugee crises was not repeatedly visited on the continent.

118. Mr. GONZALEZ (Argentina) said that Argentina's applications for asylum had tripled in recent months, demonstrating the unpredictability of refugee flows. Since 1985, when it had established its Committee on Refugee Status, the Argentine Government had been fully assuming its responsibilities under the Convention, in close cooperation with the regional UNHCR Office for Southern Latin America. That cooperation went beyond a mere selection process and included support for action aimed at helping refugees in critical situations in other regions. As part of its burden-sharing effort, Argentina had increased its support for the UNHCR Regional Office in Buenos Aires through different Government-sponsored programmes designed to assist United Nations missions working in the region.

119. Another indication of Argentina's determination to share the refugee burden was its participation in the training of special peacekeeping bodies and of the "White Helmets". It also helped to organize courses, seminars and workshops in technical and humanitarian law training for national and foreign officials. Other initiatives, on a selective basis, included the Government's agreement to resettle a group of refugees from the former Yugoslavia, which the High Commissioner had kindly mentioned in her opening statement.

120. To the best of its ability, Argentina prepared and trained its own human resources and cooperated with UNHCR in peacekeeping and assistance activities that were, for the most part, extra-regional. A large-scale dissemination effort and the ongoing establishment of discussion forums were also ways in which it reciprocated the assistance which many inhabitants of the region had received in the past.

121. Mr. AMAT FORES (Observer for Cuba) said that the theme of the 1998 session provided a valuable opportunity to explore some of the positive and

negative factors connected with the refugee issue. Disturbingly, a few industrialized countries continued to question the refugee status itself. The proliferation of anti-immigrant legislation, the closing of borders and growing restrictions for asylum-seekers must be at the core of any serious approach to the situation of refugees in the modern-day world.

122. At the same time, consideration must be given to the root causes of the major refugee crises: internecine wars, inter-ethnic conflicts, denial of the right to self-determination (as in Palestine), chronic underdevelopment and extreme poverty. Those problems, which were mostly internal in nature, were inherited from the colonial past with its exploitation of third world peoples, arbitrary delimination of borders, political upheavals and the regime of economic exploitation imposed by liberalization.

123. The discussion paper contained in document A/AC.96/904 confirmed many of his delegation's views. Responsibilities must be shared in a world where the unequal distribution of wealth, structural inequalities and prevailing international economic disorder prevented the disadvantaged from coping with any such challenges without international cooperation.

124. Cuba had been closely following the work of the High Commissioner on the topic under review and other issues. Despite its difficult economic situation, it was prepared to continue its support for that important humanitarian work.

125. Mr. DECAZES (Observer for Malta) said that the theme for 1998 reflected the complexity of the refugee issue, which included political, economic, social, educational, legal, environmental and security aspects. Malta, which enjoyed a special status under public international law, felt especially concerned by the subject. Faithful to its long tradition of humanitarian assistance, it implemented short-term and long-term assistance programmes for the benefit of displaced populations throughout the world, with special emphasis on the medical and public-health side.

126. Maltese assistance teams were currently operating in several African, Asian and European countries. In the Great Lakes region, Malta's German association, "Malteser Hilfsdienst", took part in repatriation and rehabilitation operations in addition to its medical projects. It had been necessary to suspend those activities because of the instability in the area, but they would resume as soon as conditions permitted. In order to enhance its humanitarian work in Africa, Malta had recently opened a regional office in Uganda.

127. In the economic sphere, Malta conducted assistance programmes in the food, transport and water supply sectors, helping to strengthen local infrastructures and public services.

128. In Bosnia, Malteser Hilfsdienst continued to cooperate with UNHCR in conducting an assistance programme for female war victims, the Bosnian Women's Initiative. In Kosovo, where the situation was deteriorating daily, a Malteser Hilfsdienst team had recently conducted an evaluation mission

throughout the region. Malta was hoping to open an office in Montenegro, and its future projects included medical assistance to displaced persons and a shelter-construction programme to prepare for the winter.

129. Despite its limited resources and lack of territory for hosting refugees, Malta did its best to participate in international solidarity with an emphasis on humanitarian assistance. To that end, the statutes of its emergency body, the Emergency Corps of the Order of Malta (ECOM), had been amended to extend its work beyond the emergency stage.

130. Mr. JAKUBOWSKI (Poland) said that more than 22 million people throughout the world were assisted mainly, if not exclusively, by UNHCR, whose personnel often served under extremely difficult and dangerous conditions. He joined the previous speakers who had demanded the immediate and unconditional release of Vincent Cochetel.

131. The theme for 1998, international solidarity and burden-sharing, was one of special significance to Poles, who had required international protection themselves in the not-so-distant past. Poland had recently adopted a new bill on aliens, which introduced the principle of equal rights and obligations for foreigners and citizens. The new bill had been drafted in cooperation with UNHCR; it was in full conformity with international legal standards and took emerging trends in Europe into account. Although Poland was not yet a country of destination for large numbers of refugees, those who chose it enjoyed full economic and social rights and a significant effort was made to integrate them into Polish society. He was not speaking of economic migrants, who caused harm to convention refugees by abusing procedures.

132. Poland was developing regional cooperation with its neighbours on questions relating to refugees and enjoyed excellent working relations with Germany and Ukraine.

133. As many non-European countries in the world had achieved stability, democracy and development, Europe should not necessarily be the main destination of refugees. More countries in the world must share the refugee burden, to allow asylum-seekers to seek protection as close to their countries of origin as possible. The advantages of that approach were manifold: easier integration into the receiving society, closer contact with relatives and an easier return to the country of origin when protection was no longer needed or, in the case of war refugees, when the conflict came to an end.

134. Poland fully accepted its share of the refugee burden and, as its economy progressed towards stable and significant economic growth, it was increasingly better prepared to meet its international obligations.

The meeting rose at 6.45 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 529th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 7 October 1998, at 10 a.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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The meeting was called to order at 10.15 a.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (A/AC.96/898 and A/AC.96/904) (continued)

1. Mr. KYDYROV (Observer for Kyrgyzstan) said that there were nearly 50,000 refugees in his country, i.e. 1 per cent of the total population. Despite a difficult social and economic situation, the Kyrgyz Government was doing all in its power to fulfil its obligations under the Convention relating to the Status of Refugees. At the national level, a number of legislative measures relating to refugees had been taken. Operations had begun on the voluntary repatriation of Tajik refugees. A technical cooperation programme had been prepared with representatives of UNHCR and the International Organization for Migration (OIM) to control migratory flows and to protect the rights of refugees and migrant workers. The Government attached the greatest importance to that preventive programme, which could prove useful to other countries in the region.

2. The strategy being pursued at the regional level consisted in setting up a permanent consultation system in order to promote consensus, despite national differences, on the need for solidarity and burden-sharing. In 1998, two important regional conferences had taken place, one devoted to Afghan refugees, the other to migrations in central Asia. It might be possible further to develop a regional approach of that kind, taking account both of the economic opportunities in host countries and the level of development of their democratic institutions, and of the social, political and economic situation in the countries of origin.

3. For Kyrgyzstan, a country whose economic resources were limited and where political liberalization and democratic reforms were under way, the acceptance of Tajik and Afghan refugees was a heavy burden, particularly as such population movements went hand in hand with illegal migration, increased drug trafficking and evidence of religious extremism, which represented a threat to national security and the stability of the region as a whole. Active assistance from the international community and a sharing of responsibility were therefore needed to help with, for example, preventive measures and the political decisions that had to be taken, especially in view of the risk of an inflow of refugees as a result of the situation in Afghanistan.

4. Given the globalization of political, social, economic and humanitarian processes, the protection of refugees and respect for their rights should be the cornerstone of international solidarity and burden-sharing in the twenty-first century. The Kyrgyz delegation therefore suggested that the Executive Committee should consider, at its fiftieth session, the theme, "National legislation and international judicial mechanisms for protecting refugees and safeguarding their rights in the modern era", in order to review the experience gained and to pave the way for a revision of the 1951 Convention and the possible adoption of a second protocol that would reflect the realities of the day. His delegation took the opportunity to invite the relevant international organizations such as UNHCR, OIM, the International Labour Organization (ILO), the Organization for Security and

Cooperation in Europe (OSCE), the Council of Europe and the European Union to provide assistance with training and information in countries with few experts in international law or administrators, in order to enable them to take the necessary decisions in the area of refugee protection.

5. Ms. INYUMBA (Observer for Rwanda) expressed her Government's gratitude to the United Nations agencies and to donor countries for the help they had given to Rwanda. She particularly thanked the High Commissioner, Mrs. Ogata, for her support for the Rwandan refugee reintegration programme and for the initiative to help Rwandan women and children at risk, although the programmes were currently losing momentum for lack of funds.

6. During the past three years, more than 3 million Rwandan refugees had returned to a country devastated by genocide. The Government, with the support of the international community, had begun repairing the infrastructure, but much remained to be done to reintegrate the returnees, in particular in terms of basic social services (housing, drinking water, health and education). In addition, Rwanda was hosting around 40,000 refugees from the Democratic Republic of the Congo who might have to stay quite some time, especially as the conflict in their country still had ethnic overtones and involved incitement to genocide.

7. The Government of Rwanda was concerned about the continued exile of Rwandans in a number of African countries. Their return was hampered by the fact that some of them, in their flight from the conflict in the former Zaire, were moving ever further from Rwanda. As a result, genuine refugees were being manipulated by the very people who had planned and committed the 1994 genocide. Rwanda therefore called for the help of the international community so that Rwandan refugees could be repatriated and those responsible for the genocide in 1994 could be brought to justice, either in the countries of asylum or before the International Criminal Tribunal for Rwanda, in Arusha.

8. The Government would continue to work with UNHCR and the international community in seeking durable solutions to refugee problems. It was important to note, in the context of solutions such as asylum or resettlement in a third country, that certain Rwandan refugees were involved in the civil war in the Democratic Republic of the Congo, for essentially terrorist purposes. The delegation of Rwanda urged the international community not only to show solidarity through humanitarian action, but also to play its due role in conflict resolution in Africa.

9. Mr. Man-Soon CHANG (Observer for the Republic of Korea) said that his delegation was gravely concerned by the increasingly dangerous conditions in which UNHCR staff members all too often found themselves working. All interested parties should make a concerted effort to ensure the safety of UNHCR personnel and other humanitarian workers in the field, whose protection and assistance activities currently benefited 22 million people. Such figures were an indication of the proportions of the humanitarian crises that threatened international peace and security and put pressure on social and economic conditions, the environment or the political situation in host countries. The international community should therefore show solidarity, not only in order to lighten that burden, but also in order to maintain peace and security.

10. The delegation of Korea believed that burden-sharing would help to ensure respect for the basic principles of refugee protection (asylum, non-refoulement and family unity, inter alia) and promote the search for durable solutions. In that regard, the quotas set for receiving refugees or asylum-seekers should be flexible enough to accommodate humanitarian considerations such as family unity. Burden-sharing also implied political and security actions to address the causes and consequences of refugee movements. In addition, developing countries, which were plagued by serious economic problems, would find it difficult to continue to apply a generous policy if the developed countries did not set an example by protecting and assisting refugees.

11. It was in everybody's interests for the humanitarian and political problems associated with refugee movements to be resolved through international cooperation, and UNHCR should ensure that activities were coordinated. Global stability and development depended on the containment of forced migration. The Republic of Korea, for its part, was determined to help shape an international approach to refugee protection. During its presidency of the United Nations Security Council, the Republic of Korea had initiated a debate on the issue, thereby giving the Council a rare opportunity to discuss the complex situation of refugees. In addition, during the past three years, the Government had substantially increased its contributions to UNHCR programmes. Its contributions to the general programmes had increased 15-fold, rising from $100,000 in 1994 to $1.5 million in 1997. Despite its current financial difficulties, the Republic of Korea intended to continue to support UNHCR.

12. Ms. EIVAZOVA (Observer for Azerbaijan) said that, as a result of Armenia's military aggression against Azerbaijan, its occupation of 20 per cent of Azerbaijani territory and the policy of ethnic cleansing being carried out by the aggressor, there were currently around 1 million refugees and displaced persons in Azerbaijan out of a total population of 7.5 million. The material costs arising from the destruction of housing, enterprises and social infrastructure amounted to tens of billions of dollars. The humanitarian situation in Azerbaijan was disastrous and every year epidemics claimed hundreds of victims from among older persons, women and children living in refugee camps. Indeed, the infant mortality rate in the camps was one of the highest in the world: 20 per cent of the children died before the age of one. Although a ceasefire had been in effect since May 1994, there had still been no political settlement of the conflict and the plight of the refugees and displaced persons remained a subject of concern for the Government of Azerbaijan.

13. Her delegation expressed its sincere gratitude to the Governments and agencies, including UNHCR, that had given assistance to the refugees and displaced persons in Azerbaijan after the Security Council and the General Assembly had adopted resolutions on the population displacements and the humanitarian emergency there. She particularly thanked UNHCR, the United Nations Development Programme (UNDP) and the World Bank for their support for the launch of the Government's programme to resettle refugees and rehabilitate the war-damaged areas. She asked the international community to make an effort to strengthen its solidarity and the principle of

burden-sharing in order to help countries that, despite enormous political, economic and social problems, continued to host large numbers of refugees and displaced persons.

14. Ms. CEK (Observer for Croatia) said that her country was still suffering the consequences of the displacement of hundreds of thousands of people and the destruction of their homes and of the surrounding urban infrastructure. Since the end of the mandate of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), Croatia had assumed responsibility for administering Eastern Slavonia and continued to try to facilitate the return and peaceful coexistence of different ethnic communities. More than 21,000 Croats who had fled the area seven years before had returned to their homes, but 50,000 others had not yet been able to do so for lack of housing and employment opportunities. In June 1998, the Croatian Parliament had approved a comprehensive programme for the return and accommodation of refugees and displaced persons which had been given a unanimous welcome by the international community. The programme had confirmed the inalienable right of return for all those who could be considered refugees under the 1951 Convention, and had recognized the property rights of displaced persons. Multi-ethnic commissions had been established to implement the programme, which had also encouraged Croats of Serbian extraction to return. In all, 24,000 of them had been repatriated from the Federal Republic of Yugoslavia and Bosnia and Herzegovina and 23,000 others who had been displaced within Croatia itself had returned to their homes. There were still obstacles to the repatriation of around 100,000 refugees from Bosnia and Herzegovina. The international community apparently was not sufficiently concerned to create conditions favourable to their return. The situation had also been exacerbated by the arrival of thousands of refugees from Kosovo.

15. Croatia would not have been able to shoulder the burden of large inflows of refugees and displaced persons without the help of the international organizations and, first and foremost, UNHCR. It was regrettable that the return of the refugees should be hampered by a lack of financial resources. The economic recovery of the country was now the main factor in their long-term reintegration. The Government was therefore organizing a conference on the reconstruction and development of the Republic of Croatia, which should help to create the conditions for the thorough social and economic reintegration of the returnees. In that respect, Croatia was well aware of how vital international solidarity and burden-sharing were to the search for durable solutions to the refugee crisis.

16. Mr. OBSIEH WAIS (Observer for Djibouti) said that the international community should give its full support to the host countries that had welcomed, and continued to welcome, hundreds of thousands or even millions of refugees, notwithstanding their own political, economic and social problems. With the help of UNHCR, Djibouti had been able to implement the voluntary repatriation of 36,000 Ethiopians during the past two years. Some 22,000 Somali refugees and a few hundreds of Ethiopians were still in the country. Apart from the groups for which the international community had taken responsibility, through UNHCR, more than 55,000 refugees were living in the city of Djibouti, where the situation was becoming more and more difficult. The Somali refugees' prospects of repatriation were still virtually non-existent even though the situation in their area of origin had

settled down. UNHCR should therefore prepare a project aimed at transferring 15,000 to 20,000 of the Somali refugees, who were mainly from vulnerable groups, into camps in order to alleviate their difficulties. He urged the international community to redouble its efforts to help Djibouti, which had always been a country of asylum, to discharge its humanitarian duties. In the wake of a military crisis that had ended in December 1994, a large number of Djibouti civilians had taken refuge abroad themselves, but it was now not possible for them to return home since the social infrastructure had been destroyed. Those who had already begun to return, most of them women and children and estimated to number around 15,000, still had no shelter and were utterly destitute. Thus far, only UNDP and UNICEF had helped the Government of Djibouti in its attempts to overcome the difficulties it faced in the aftermath of the war.

17. The international community should show greater solidarity with the asylum countries, which were still, generally speaking, developing countries. Action by UNHCR, which had worldwide recognition, was needed more than ever given the existence of so many areas of conflict in the world. Nothing must be allowed to interfere with the assistance provided by UNHCR, despite the financial constraints.

18. Mr. N'GORAN (Observer for Côte d'Ivoire) said that burden-sharing was a legal obligation contained in a number of international instruments, including the Convention relating to the Status of Refugees and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. It was, however, regrettable that States did not always accept all that that entailed. Even though the technical support provided by UNHCR and other specialized agencies to host countries constituted a form of burden-sharing, it was not systematic and did not match the sacrifices made by the asylum countries. International instruments defined the obligations of States more clearly than those of regional groups or the international community, whether economic, military or environmental. Within those different areas, the notion of burden-sharing was complicated by the extent of the resources to be mobilized, as well as by the difficulty, or even the impossibility, of quantifying certain contributions.

19. Since the granting of asylum frequently entailed the establishment of multi-sectoral aid programmes, the international community should take a comprehensive approach to the consideration of the concept. Account should be taken of refugees' economic significance when implementing international cooperation policies. The right to asylum sometimes entailed military commitments on States' part in order to ensure refugees' safety, and the containment of crises might call for transborder military actions that could be seen only as part of regional or international obligations. Both cases required what were often substantial financial commitments.

20. Côte d'Ivoire considered that burden-sharing should occur only in serious emergencies. Their seriousness should be assessed in terms of number of refugees and the ability of the asylum country to cope with them. Burden-sharing was also necessary in repatriation operations, since the countries of origin could not on their own meet all the demands imposed by the reintegration of returnees, reconciliation and national reconstruction. Similarly, solving refugee-related environmental and economic problems

required international solidarity in order to rehabilitate affected areas. Côte d'Ivoire, for example, planned to implement a programme of support for the development of their reception area for Liberian and Sierra Leonean refugees, after a needs analysis carried out by the United Nations Office for Project Services (UNOPS) and funded by UNDP: he called on all donor countries and financial institutions to support the programme. Given the difficulties of mobilizing the international community, burden-sharing could be used at any time, before or after a refugee crisis. It should not be constrained by highly restrictive rules and there should not be any compensation principle attached, since the organizations' task was to ensure the smooth coordination of humanitarian aid.

21. Mr. PHOUGSAVATH (Observer for the Lao People's Democratic Republic) said that, in view of the worrying increase in the number of refugees, international solidarity and burden-sharing had a vital role to play in finding appropriate responses to crises and avoiding further population movements. He believed that voluntary repatriation was the most realistic and appropriate solution to the refugee problem. He hoped that the developed countries would continue to support UNHCR and the other humanitarian organizations that provided assistance to refugees.

22. In south-east Asia, progress seemed to have been made towards a solution to the problem of Indochinese refugees. The vast majority of Lao refugees abroad, chiefly in Thailand, had been resettled in third countries or had returned home. However, 1,300 of those, who had not been authorized to resettle in the United States of America were still in Thailand. It was now up to the tripartite Lao-Thai-UNHCR commission to find a solution. The Government wanted the repatriation programme to be completed as quickly as possible in order to give the new returnees the opportunity to contribute to the development of the country, which had recently joined the Association of South-East Asian Nations (ASEAN). It was prepared to continue to cooperate with UNHCR in fulfilling that mission and relied on UNHCR to help it resettle the Lao returnees and facilitate their reintegration into the national community. In that regard, he expressed his sincere gratitude to the United States of America, Japan and the European Community, which were funding the UNHCR projects under way in the Lao Democratic People's Republic, and he called on friendly countries, international organizations and non-governmental organizations (NGOs) to make a financial contribution to the humanitarian repatriation programme.

23. Mr. SESINYI (Observer for Botswana) said that his Government had made administrative arrangements to ensure that asylum-seekers were not treated as illegal immigrants. Refugees were requested to register at the offices of UNHCR and with the Botswana Council for Refugees: applications were referred to the Refugee Advisory Committee, which considered it and made a recommendation to the Minister responsible for refugee matters. The Minister gave a favourable decision if Botswana was the country of first asylum. The aim of that policy was to distinguish genuine asylum-seekers from economic migrants. A large number of refugees crossed other countries before choosing Botswana as a country of asylum because of its economic performance and political stability.

24. The Government did not have the means to accept all the asylum-seekers wishing to settle in Botswana. Botswanans would not understand if the austerity measures they had to accept did not apply when taking in refugees. The aim of the policy was to control immigration and not to question respect for the right of asylum. The Government believed that, if the choice of the country of asylum were left to asylum-seekers, the principle of protection would give way to a process of steady migration: it would be preferable for countries to share the burden of hosting refugees on a bilateral basis. Southern African Development Community (SADC) countries had already agreed that any member State that no longer had the resources to cope with the burden could approach other States for assistance at the bilateral level.

25. Ms. TESFAMICHAEL (Observer for Eritrea) said that the people and Government of Eritrea had been striving for seven years to rehabilitate an economy shattered by the war that had led up to independence, and to find a solution to the problem of the diaspora of Eritrean refugees. The Government had given the highest priority to the programme of voluntary repatriation and reintegration of Eritreans driven into exile by the war.

26. However, a number of factors stood in the way of those efforts. In addition to the border conflict that had recently broken out between Eritrea and Ethiopia, Ethiopia was committing gross violations of the human rights and fundamental freedoms of Eritrean residents and Ethiopians of Eritrean origin in Ethiopia. Since the dispute had begun in May 1998, the Ethiopian Government had launched a campaign of mass deportations, torture and arbitrary detention against those groups, with forcible separation from their families and confiscation of their property. Ethiopia's crimes against humanity were attested to by verifiable sources, such as reports of the United Nations High Commissioner for Human Rights, the United Nations Secretary-General, representatives of third countries and ICRC. Unless the international community took the necessary corrective measures, such ethnic cleansing operations and irresponsible actions would have dangerous implications for the peace, stability and security of the region.

27. The Government of Eritrea renounced the principle of the use of force and remained committed to searching for a peaceful, legal resolution of the conflict. It had also submitted a constructive proposal to that effect. Despite Ethiopia's allegations, Ethiopian residents in Eritrea had not been subject to any illegal or hostile action and their right to live and work in peace in Eritrea had been guaranteed by the National Assembly. The Government had invited impartial observers to visit Eritrea to investigate the human rights situation and was actively cooperating in that regard with various competent bodies.

28. Given the social and economic disruption and hardship resulting from the crimes of the Ethiopian leadership, a serious humanitarian crisis seemed imminent unless concrete measures were taken to avert it and to prevail on Ethiopia to stop violating the rights of ethnic Eritreans. She therefore called on the international community to cooperate in helping the victims of Ethiopian violence.

29. Mr. DEMBELE (Observer for Mali) said that the case of some 150,000 Malian refugees forced to leave the country by armed conflict in the north of

Mali was approaching a solution, and nearly all of them had returned to their homes. Their return had been made possible by repatriation programmes carried out by UNHCR and the Government of Mali, in conjunction with the host countries. His delegation expressed its gratitude to the High Commissioner for Refugees and her collaborators, to the neighbouring countries, which had given asylum to Malian refugees for several years, and to the international community and the donors who had made it possible for the programmes to be implemented.

30. Solidarity and burden-sharing should be achieved in the first place through the fulfilment, at the political level, of the commitments entered into under the conventions and legal instruments relating to refugees. For the international community that involved giving support to the asylum countries - which were frequently beset by economic and social development problems - in order to facilitate the reception and protection of refugees and, after the refugees had left, in rehabilitating areas damaged as a result of their stay. Aid should also be granted to the countries or areas of origin in order to permit reconstruction and the reintegration of returnees. Countries must also make available to UNHCR, in timely fashion, the resources that were needed for it to be able to carry out its mission effectively.

31. A variety of factors could contribute to good handling of the refugee problem: the prevention of conflicts and crises that might lead to mass population displacements, the equitable sharing among several countries, including northern countries, of the burden of hosting refugees, support for the efforts required of developing countries by refugee inflows and, lastly, the granting of the aid required by both countries of origin and host countries.

32. Mr. KAVADZE (Observer for Georgia) expressed his Government's gratitude to the High Commissioner for Refugees and her staff for their assistance to the hundreds of thousands of persons in Georgia who had been forcibly displaced as a result of the actions of Abkhaz separatists. He also thanked the donors from various countries for the help they had given through contributions. Given the multiplicity of the causes of the problem of displacements, its solution was naturally also very complex.

33. The Government of Georgia had repeatedly emphasized the threat that separatism represented to world stability. Neighbouring countries had finally acknowledged the reality of that threat, so there was now some hope that efforts to deal with it at the international level would be stepped up. Several international organizations had been apprised of the issue of the conflict in Abkhazia, which, as had frequently been emphasized, should be resolved within the framework of the territorial integrity of Georgia, ensuring the prompt return of the hundreds of thousands of refugees and displaced persons to their homes. The Government remained determined to find a peaceful solution by political means and continued to negotiate with the Abkhaz leadership. Nevertheless, it had to be acknowledged that little progress had been made in settling the conflict.

34. The punitive operations conducted by the Abkhaz side in the Gali region in May 1998 had forced 40,000 ethnic Georgians off their land and had culminated in the loss of human life and the destruction of 1,400 dwellings

that had been rebuilt with help from UNHCR. That tragedy had come about partly owing to the fact that neither the Security Council resolutions nor the Organization for Security and Cooperation in Europe (OSCE) decisions on the ethnic cleansing of the Georgian population in Abkhazia had been implemented. Acts of violence continued to occur and, with the onset of winter, emergency aid was essential for the affected population. Since the Georgian Government's resources were limited, continued UNHCR support was the only way to solve the problem. He therefore appealed to donor countries to increase their contributions to the UNHCR budget in order to meet the needs of a further 40,000 displaced persons in Zugdidi and to ensure humanitarian monitoring of the 10,000 civilians still in Gali. Economic programmes should also be developed in order to promote the post-conflict peace process, using an approach similar to that adopted in settling the Georgian-Ossetian conflict and reconstructing the social and economic infrastructure of the conflict zone.

35. With regard to the problem of the Turks and Muslim Georgians from the Meskheti region of Georgia, the Georgian authorities had decided to allow the systematic repatriation of those deported by the Soviet regime: the process was being carried out to the extent possible and without undue haste. One problem of a legal nature remained to be settled, in which the experience of UNHCR could prove very useful: the question of the legal status of the property left behind by forcibly displaced persons and confiscated by Abkhaz separatists. UNHCR could participate actively in resolving the issue by adopting legally binding international legislation to guarantee the enjoyment of the right to property in such cases and providing for the restitution of property lost as a result of population displacement, or for compensation for such losses.

36. Mr. RANA (Observer for Kenya) said that UNHCR, like other humanitarian organizations and voluntary agencies, worked under difficult and dangerous conditions to try to alleviate the plight of displaced persons. The current global economic recession had brought hardship not only to the nationals of the countries concerned, but also to the refugees they hosted. The flare-up of tensions and conflicts contributed to instability and to a constant movement of people seeking refugee status. Yet the resources available were shrinking even as the number of displaced persons in need of help increased.

37. States' responsibility towards refugees was not only to welcome them and give them shelter, in accordance with their obligations under the relevant international instruments, but also to find ways of establishing a lasting peace. Conflict resolution strategies should be developed in order to reduce internal disturbances and make it possible for countries to develop. His delegation therefore welcomed the initiative taken by the United Nations, through the High Commissioner for Refugees, and OAU in organizing a regional interministerial meeting, held in May 1998, on refugee issues in the Great Lakes region. The initiative, which had been a step towards finding a solution, should be expanded.

38. Kenya had been in the forefront of mediation between the various parties to the conflicts in the region, through regional bodies such as the Intergovernmental Authority on Development (IGAD). Over the years, it had hosted hundreds of thousands of refugees. The Government subscribed to

international measures to ensure the protection of refugees, once their status had been determined. The contributions of various Governments, NGOs and voluntary organizations to the Kenyan refugee programmes had been of great assistance. Such efforts showed that the international community was willing to help deal with the refugee problem. However, material help at the camp level remained inadequate, as did the provision of education and training to help refugees to reintegrate into their countries of origin. Kenya appreciated the efforts by various Governments to facilitate the resettlement of refugees on their territories. In implementing such programmes, it was also necessary to give consideration to refugees with particular needs, such as women, unaccompanied children, older persons and the disabled.

39. Mr. OUEDRAOGO (Observer for Burkina Faso), recalling that Africa held the somewhat depressing record for the number of refugees and displaced persons, paid tribute to the African countries that took them in and frequently suffered for it in social, economic and ecological terms. He appealed to the international community to give firmer support to such countries, whose economies were already fragile.

40. It was, however, important to go beyond solidarity and address the causes of the problem, namely conflicts, human rights violations, political, ethnic and religious intolerance and extreme poverty: an awareness of the problem was therefore required at all levels. On the continent of Africa, efforts were being made at the regional, subregional and national levels to meet that requirement. The encouraging results achieved by the conflict prevention, management and resolution mechanism set up by OAU, for example, other crisis-containment initiatives taken by subregional organizations and the reforms under way at the national level showed that Africa was capable of assuming its responsibilities, provided that the international community gave it the support it needed.

41. For its part, Burkina Faso had never failed to show solidarity for other States in the search for durable solutions to refugee problems. After the successful repatriation of the Malian and Nigerian Tuareg refugees, others known as "urban refugees" continued to be received into the country in ever-increasing numbers. In that respect, the international community's understanding and the cooperation of UNHCR would be vital to the implementation of the resettlement programme that had recently begun.

42. Mr. CASTRO GRANDE (Observer for El Salvador) said that his country fully endorsed the declaration made by the delegation of Venezuela on behalf of the Group of Latin American and Caribbean States on the theme under discussion. He drew attention to the fact that, on 29 September 1998, UNHCR had closed its San Salvador office, after 11 years of intensive activity. During that time, UNHCR had helped 32,400 Salvadoran refugees to return and reintegrate. It had also provided protection and assistance to refugees from other Central American countries chiefly Nicaraguans in El Salvador. The Government of El Salvador thanked UNHCR and the entire international community for the assistance which they had provided and without which it would not have been possible to find durable solutions to the problems of returnees and refugees.

43. With regard to the reception and care of refugees, the Government had prepared draft legislation to establish new government departments responsible

for granting refugee status and new procedures to speed up the processing of applications. Refugee status determination would now be the responsibility of the Ministries of Public Security, Internal Affairs and External Affairs, while aid to refugees would be provided by Caritas, the organization appointed by UNHCR. While the Government welcomed the fact that the Guatemalan refugee repatriation programme was nearing completion, it noted with concern that the final phase of the programme was at risk owing to UNHCR's lack of resources. He endorsed Guatemala's appeal to donor countries to help UNHCR complete the operation.

44. Ms. ARES (Observer for Chile) said that the crises that had occurred recently around the world - the Great Lakes region, for example - demonstrated how much damage mass population displacements could cause in host countries, many of which were themselves plagued by conflict or social and economic problems. They had also shown the importance of development and the need for the international community to give those countries the help they needed. While there was certainly a need for preventive or early warning measures in order to avoid the outbreaks of social conflict that characterized such crises, it was equally necessary to invest in development aid, a solution that would always be preferable to maintaining refugee camps.

45. The international community's commitment to solidarity and burden-sharing was a key factor in ensuring the protection of refugees, giving them the help they required and finding durable solutions for them. The efforts required of developing countries and countries in transition, which were those that most frequently hosted refugees, were so great that only international solidarity would enable them to cope with such situations. It was therefore more urgent than ever, when humanitarian emergencies occurred, to consider preparing a world development aid programme that would benefit both the refugees' countries of origin and the host countries. The Chilean Government, for its part, in collaboration with UNHCR, had decided to launch a programme aimed at resettling a small group of families from the former Yugoslavia, in accordance with an undertaking made at the Executive Committee's 1996 and 1997 sessions. It hoped by that gesture to make a contribution to the search for durable solutions to the refugee problem, in accordance with the tradition of solidarity that had always characterized the history of democracy in Chile.

46. Mr. KULUE (Observer for Liberia) said that, since the launch of the voluntary repatriation programme in the first quarter of 1998, nearly 80,000 Liberian refugees had been helped to return by UNHCR and around 200,000 others had returned to the country by their own means. Unfortunately, despite the Government's security guarantees, a large number of them had returned to their asylum countries owing to a lack of sufficient social infrastructure to support them. Of around 600,000 Liberian refugees in various West African countries, only half were thought to have returned to their country of origin. It was therefore time for UNHCR to consider the possibility of transferring to Liberia the programmes to help refugees in asylum countries. In order to speed up the repatriation process, the absorption capacities of areas of return should be enhanced by, for example, building schools or organizing income-generating activities. It would also be desirable for UNHCR to become a focal point for the coordination of the many international NGOs implementing reintegration projects at the community level in Liberia.

47. Apart from the problem of repatriation, Liberia also had to deal with the security threat posed by the conflict in Sierra Leone. Although its economy was in ruins after a long civil crisis, Liberia was host to more than 120,000 Sierra Leonean refugees and had provided them with large tracts of land. The Liberian Government also guaranteed them freedom of movement and respect for their fundamental human rights and had taken steps to ensure their safety. In order to facilitate their repatriation, the Government was working with other countries of the subregion to help re-establish a lasting peace in Sierra Leone and had requested OAU, the Economic Community of West African States (ECOWAS) and the United Nations to position observers along the border in order to lay to rest the allegations that Liberia was supporting the rebels in Sierra Leone. The Government was collaborating with UNHCR to ensure that persons accused of engaging in activities amounting to crimes against humanity were separated from the refugee population, but additional resources were needed in order to improve refugee protection.

48. His Government was also concerned about the question of internally displaced persons, a problem that had affected almost the entire population at the time of the crisis in Liberia. Whereas refugees could receive help with repatriation, no United Nations body or humanitarian organization had a specific mandate to deal with internally displaced persons, who became the responsibility of their Government. His delegation therefore urged UNHCR to monitor the plight of that vulnerable group and took the opportunity to renew Liberia's invitation to the High Commissioner to visit the country in order to assess the situation on the ground.

49. Ms. TESFAYE (Ethiopia), speaking in exercise of the right of reply, noted that the delegation of Ethiopia had referred to Eritrean aggression in its earlier statement merely because that act was likely to give rise to serious problems for which UNHCR must be prepared. With regard to the substance of the matter, no one could deny the fact of Eritrea's aggression against Ethiopia on 12 May against Ethiopia: the United States of America and Rwanda, as well as OAU, had confirmed the occupation by Eritrea. To say that Ethiopia was the aggressor was an insult to the intelligence of the international community and the members of the Committee. The same applied to the allegation that Eritreans had been deported from Ethiopia. That was nothing more than a tactic used by Eritrea to divert attention from its act of aggression. Ethiopia in fact abided strictly by the principles of international law, despite the challenge it was facing. Ethiopia was not dealing with the usual kind of Government. When the President of Eritrea had publicly stated that his country had the capacity to strike at the heart of Ethiopia and that it was not difficult to create a feeling of insecurity there, it had been felt that those Eritreans known to be involved in the wide network of clandestine cells established in Ethiopia by the ruling party in Eritrea should be asked to leave Ethiopia. In any case, the region's latest humanitarian tragedy was a result of Eritrean aggression and would no doubt end as soon as Eritrea vacated Ethiopian territory. The delegation of Ethiopia once again requested the international community to ensure compliance with the law and to support the peace efforts made by OAU, whose Secretary-General had become the new target of the Eritrean authorities.

50. Mr. MARUME (Democratic Republic of Congo), speaking in exercise of the right of reply, said that his delegation was obliged to correct the falsehoods

stated by the representative of Rwanda about the war being waged on the Congolese people. Her accusations had been all the more astonishing for being made by a country from which the Democratic Republic of the Congo - the former Zaire - had accepted more than 2.5 million refugees since 1959. Neither the people nor the Government of the Democratic Republic of the Congo, who had always accepted difference, but rejected hatred, were responsible for Rwanda's recurrent dramas. Rwanda appeared to be resorting to disinformation in order to disguise its own responsibilities and giving little thought to its own refugees in the Democratic Republic of the Congo. His delegation reserved the right to publish a statement at a later time that would fully clarify the question.

The meeting rose at 1 p.m.